

JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
Extraordinary Session of 1962

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, JUNE 12, 1962



WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

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State of Alabama

JOURNAL
OF
THE SENATE
OF THE
STATE OF ALABAMA
EXTRAORDINARY SESSION, 1962

FIRST LEGISLATIVE DAY

TUESDAY, JUNE 12, 1962

BE IT REMEMBERED, that on the 5th day of June, A. D., 1962, John Patterson, Governor of the State of Alabama, issued his proclamation in words and figures as follows, to-wit:

**A PROCLAMATION
BY THE
GOVERNOR**

WHEREAS, there exists an emergency situation in the State of Alabama which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Section 122 of the Constitution of Alabama of 1901:

NOW, THEREFORE, I, John Patterson, as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the Seat of Government at the State Capitol in Montgomery, Alabama, at 12:00 o'clock Noon on Tuesday, June 12, 1962, to consider the following matter:

1. Reapportionment of the seats of the Legislature of the State of Alabama.

IN WITNESS WHEREOF I have hereunto set my hand as Governor of the State of Alabama and have caused the Great Seal to be affixed, and caused this proclamation to be attested by the Secretary of State, at the Capitol, in the City of Montgomery, on this the 5th day of June, 1962.

JOHN PATTERSON,
Governor.

ATTEST:
BETTYE FRINK,
Secretary of State

Pursuant to such proclamation, at the hour of 12 o'clock Noon, on Tuesday, June 12th, 1962, the Senators in the Legislature of Alabama assembled in the Senate Chamber.

The Senate was called to order by Honorable Albert Boutwell, Lieutenant Governor and President and Presiding Officer of the Senate. J. E. Speight, Secretary, was present and acted as such according to law.

PRAYER

The Session was opened with prayer by the Reverend G. Stanley Frazer, Associate Pastor, St. James Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dumas	Green	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Leonard	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Word
Crawford	Graham	Roberts	Wyatt
deGraffenried			

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MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the vacancy in the Senate, cause by the resignation of the Honorable Dave R. Archer from the Fourth Senatorial District.

Respectfully submitted,
JOSEPH G. ROBERTSON,
Executive Secretary

JUNE 12, 1962

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am herewith transmitting to you copy of a letter which I received from the Honorable Dave R. Archer, State Senator, from the Fourth Dis-

trict, Huntsville, tendering his resignation as Senator, effective October 17, 1961.

Respectfully,
JOHN PATTERSON,
Governor

Encl.

SENATE CHAMBER

Montgomery
October 17, 1961

Honorable John Patterson
Governor, State of Alabama
Capitol Building
Montgomery, Alabama

Dear Governor Patterson:

In view of my pending Appointment as Circuit Judge, place No. 2, Madison County, Alabama, I wish to tender my resignation as Senator, 4th District.

It has been a rare privilege indeed for me to have served in the Alabama Senate during your Administration. I have greatly enjoyed working with you during these past years and hope that the future will hold added opportunities.

With best wishes and warmest personal regards, I am

Sincerely,
DAVE ARCHER
David R. Archer

GOVERNOR'S MESSAGE

The foregoing Message^{*} from His Excellency the Governor was read and ordered spread upon the Journal.

The President and Presiding Officer of the Senate announced that there was a vacancy in the office of Assistant Secretary of the Senate and the next order of business was the election of Assistant Secretary of the Senate.

ELECTION OF ASSISTANT SECRETARY

Mr. Eddins placed in nomination for Assistant Secretary of the Senate Mrs. Nell W. Ruffer.

Those who voted for Mrs. Ruffer are

Messrs.:	Cooper	Gaither	Hines
Andrews	Crawford	Givhan	Jones
Barnett	deGraffenried	Godfrey	Kendall
Berryman	Dumas	Golson	Leonard
Caffey	Eddins	Graham	Moses
Clark	Farmer	Green	Porter

Roberts
Rutledge
Samford

Shelton
Turner

Webb
Wilson

Word
Wyatt

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Nays:

—0

Mrs. Ruffer having received a majority of the votes cast was declared duly and constitutionally elected Assistant Secretary of the Senate.

OATH OF OFFICE

The Oath of Office prescribed by the Constitution of Alabama was then administered by the President and Presiding Officer of the Senate to the following officer, to-wit: Mrs. Nell W. Ruffer, Assistant Secretary of the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House of Representatives to inform you that the House is now in session and is ready for the transaction of public business.

OAKLEY MELTON, JR.,
Clerk.

RESOLUTION

Mr. Eddins offered the following Senate Joint Resolution, to-wit:

S. J. R. 1. WHEREAS upon passage of House Joint Resolution Act No. 770 approved September 11, 1951 it was the intention of the Legislature that the employees, who were employed under said resolution, would conform to the definition of "Employee" under Act No. 515 of the 1945 Legislature and would be eligible for coverage in the Employees' Retirement System of Alabama, Now therefore

BE IT RESOLVED by the Legislature of Alabama, both Houses thereof concurring, that such employees as were employed under said resolution shall be eligible for coverage in the Employees' Retirement System of Alabama as other employees of the State are covered and that beginning with the employment following passage of said Act No. 770, such employees shall make contributions to the Employees' Retirement System of Alabama as required by the Acts creating the Retirement System and shall receive credit for any service subsequent to passage of said Act No. 770 upon certification of such service by the Clerk of the House and the Secretary of the Senate to the Employees' Retirement System of Alabama.

On motion of Mr. Eddins, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Pruitt:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of five, consisting of two members on the part of the Senate to be appointed by the presiding officer of the Senate and three members on the part of the House to be appointed by the Speaker of the House, be named to wait upon the Governor of Alabama and inform him that the Legislature of Alabama is in session and is ready for the transaction of public business.

BE IT FURTHER RESOLVED that a joint session of the House and Senate be held at 12:30 P.M. today for the purpose of hearing an address by the Honorable John Patterson, Governor of Alabama.

BE IT FURTHER RESOLVED that the above Committee wait upon the Governor and advise him that the two Houses will meet in joint session at 12:30 P. M., and to escort him to the House for such speech.

And the Speaker named as a Committee on the part of the House Messrs. Pierce, Hanby and Cornett.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Eddins, the Rules were suspended and the Resolution, H. J. R. 2, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Wilson and Word.

MOTION TO RECESS ADOPTED

Mr. Eddins moved that upon completion of the Joint Session the Senate take a recess until 2 o'clock this afternoon, which was adopted.

JOINT SESSION

The hour of 12:30 P. M. having arrived, and in accordance with Joint Resolution heretofore adopted, the Senate repaired to the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor.

The Session was called to order by Honorable Albert Boutwell, Lieutenant Governor and President and Presiding Officer of the Senate.

A quorum of the Legislature of Alabama was present.

(See House Journal for address by Governor Patterson.)

The purpose of the Joint Session having been accomplished and in accordance with motion heretofore adopted by the Senate, the Senate took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION
FIRST LEGISLATIVE DAY
TUESDAY, JUNE 12, 1962

The Senate re-assembled at 2 o'clock P. M., Lieutenant Governor Boutwell presiding.

ROLL CALL

Present:

Messrs.:	Dumas	Green	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Leonard	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Word
Crawford	Graham	Roberts	Wyatt
deGraffenried			

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LEAVES OF ABSENCE

On motion of Mr. Eddins, leave of absence was granted Mr. Robison for today.

On motion of Mr. Shelton, leave of absence was granted Mr. Haltom for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration.

By Mr. Cornett:

H. J. R. 4. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Friday, June 15, 1962.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 4, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

APPOINTMENT OF CHAIRMAN OF RULES COMMITTEE

The President and Presiding Officer of the Senate announced that there was a vacancy on the Rules Committee, due to the resignation of Honorable Dave Archer as Chairman.

Thereupon the Chair announced the appointment of Honorable Will G. Caffey, Jr., as Chairman of the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 1. Relative to coverage of certain employees under Act No. 515 of the 1945 Legislature.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration.

By Messrs. Cabiness, Gross, Gordon, Sessions and Perry:

H. J. R. 3. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING: That Alabama Highway No. 79, beginning at Scottsboro in Jackson County and extending through Marshall and Blount Counties to Birmingham in Jefferson County, is hereby designated and shall be known as "The Albert Boutwell Highway" in honor of Albert Boutwell who served his State with honor and distinction as a member of the Senate and as Lieutenant-Governor.

BE IT FURTHER RESOLVED, That the State Highway Department is authorized and directed to cause to be erected and maintained at all times along the highway route herein described, appropriate signs or markers indicating that such highway is "The Albert Boutwell Highway."

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dumas, the Rules were suspended and the Resolution H. J. R. 3 set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Leonard	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Word
Crawford	Graham	Roberts	Wyatt
deGraffenried			

—32

Nays:

—0

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Word:

S. 1. Proposing an amendment to the Constitution of Alabama fixing the number of representatives in the Legislature and apportioning the membership among the several counties, fixing the number of senators and dividing the State into senatorial districts, setting the required frequency of subsequent reapportionment, placing the duty and responsibility for subsequent reapportionment of the legislature upon the legislature itself from and after the first Monday in May, 1971 and prescribing apportionment basis and procedure to be thereafter followed.

Committee on Constitution, Constitutional Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Word:

S. 2. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Committee on Judiciary.

By Mr. Word:

S. 3. To make an additional appropriation for payment of expenses of the Legislature.

Committee on Finance and Taxation.

By Mr. Word:

S. 4. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Committee on Judiciary.

By Mr. Wyatt:

S. 5. Relating to counties having populations of not less than 96,000 nor more than 106,000, fixing the compensation of the judges of probate of such counties.

Committee on Local Legislation.

By Messrs. Shelton and Webb:

S. 6. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Committee on Judiciary.

By Mr. Hines:

S. 7. To fix the number of representatives in the house of representatives of the legislature and apportion them among the several counties as prescribed by the Constitution; amending Code of Alabama 1940, Title 32, Section 1.

Committee on Judiciary.

By Mr. Jones:

S. 8. Proposing an amendment to the Constitution of Alabama relating to the mode of proposing constitutional amendments.

Committee on Constitution, Constitutional Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Dumas:

S. 9. To amend Sections 1, 2, and 3 of Act No. 530, Acts of Alabama Regular Session 1949, Page 835, "Relating to public health; to regulate through licensure hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act", so as to include domiciliary institutions, homes for the aged, intermediate institutions, and related institutions.

Committee on Finance and Taxation.

By Mr. Dumas:

S. 10. To appropriate to the State Department of Public Health for the fiscal year ending September 30th, 1963, the additional sum of seven thousand five hundred dollars (\$7,500) for administering expanded licensure responsibilities pursuant to Senate Bill _____.

Committee on Finance and Taxation.

By Mr. Dumas:

S. 11. To propose an amendment to the Constitution of Alabama to require the Supreme Court of Alabama to review any apportionment of representatives among the counties and any division of the State into senatorial districts which shall be made by the Legislature and to make such apportionment and division in the event that the Legislature fails to do so.

Committee on Constitution, Constitutional Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Dumas:

S. 12. To amend Code of Alabama 1940, Title 32, Section 1, so as to reapportion the house of representatives of the legislature.

Committee on Judiciary.

By Mr. Dumas:

S. 13. To confer upon the Alabama Public Service Commission exclusive authority and power to regulate the rates of and to supervise certain public utilities the operation of which are exempt, in whole or in part, from the provisions of the Alabama Motor Carrier Act of 1939, and which said utilities are engaged in business as common carriers of passengers for hire within counties having a population of 500,000 or more inhabitants according to the latest or any subsequent federal census.

Committee on Local Legislation.

By Mr. Crawford:

S. 14. To amend Title 32, Sections 1 and 2, Code of Alabama 1940, so as to provide for reapportionment of representation in the legislature of Alabama pursuant to Article IX of the Constitution; to fix the number of representatives and apportion them among the several counties according to the number of inhabitants in them respectively; to fix the number of senators and divide the State into as many senatorial districts as there are senators.

Committee on Judiciary.

By Mr. Porter:

S. 15. Relating to counties having populations of not less than 15,300 nor more than 15,400 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law; giving the act retroactive effect.

Committee on Local Legislation.

By Mr. Porter:

S. 16. To regulate the compensation of members of the county board of education in counties having populations of not less than 15,300 nor more than 15,400 inhabitants according to the 1960 federal decennial census; giving the Act retroactive effect.

Committee on Local Legislation.

By Mr. Porter:

S. 17. To provide for the employment of a deputy clerk in the office of the clerk of the circuit court in counties of not less than 15,300 nor more than 15,400 population according to the last or any subsequent federal decennial census, and giving the Act retroactive effect.

Committee on Local Legislation.

By Mr. Porter:

S. 18. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than 15,300 nor more than 15,400 according to the 1960 or any subsequent federal decennial census, and giving the act retroactive effect.

Committee on Local Legislation.

By Mr. Eddins (by request):

S. 19. To make an additional appropriation for payment of expenses of the Legislature.

Committee on Finance and Taxation.

By Mr. Eddins (by request):

S. 20. Relating to taxation; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

Committee on Finance and Taxation.

By Mr. Eddins (by request):

S. 21. Relating to cities having populations of not less than 100,000 nor more than 200,000 inhabitants: To provide for the payment of benefits to employees of any such city who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such city who are killed in the performance of their official duties.

Committee on Local Legislation.

By Mr. Eddins (by request):

S. 22. To repeal Act No. 627 of the 1961 Regular Session of the Legislature of Alabama proposing an amendment to the Constitution of Alabama relative to the levying of additional taxes for school purposes within Montgomery County.

Committee on Local Legislation.

By Mr. Eddins (by request):

S. 23. Relating to counties having populations of not less than 150,000 nor more than 300,000 inhabitants: To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

Committee on Local Legislation.

By Mr. Eddins (by request):

S. 24. To amend Act No. 298, H. 823, Regular Session 1955, an act authorizing the governing body of any county having a population of not less than 125,000 nor more than 225,000, and the governing body of any municipality within such a county, to create a joint public charity hospital board (Acts 1955, Vol. 1, p. 694).

Committee on Local Legislation.

By Mr. Cooper:

S. 25. To amend Sections 2, 5, and 7 of Act No. 317 adopted at the 1943 Regular Session of the Legislature of Alabama so as to make changes

in the provisions thereof respecting the details and sales of securities by Wilcox County.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

STATE OF ALABAMA
COUNTY OF WILCOX

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

TO AMEND SECTIONS 2, 5, AND 7 OF ACT NO. 317 ADOPTED AT THE 1943 REGULAR SESSION OF THE LEGISLATURE OF ALABAMA SO AS TO MAKE CHANGES IN THE PROVISIONS THEREOF RESPECTING THE DETAILS AND SALES OF SECURITIES BY WILCOX COUNTY.

Be It Enacted by the Legislature of Alabama:

(1) Section 2 of Act No. 317 adopted at the 1943 Regular Session of the Legislature of Alabama entitled "TO FURTHER PROVIDE FOR THE FISCAL MANAGEMENT OF WILCOX COUNTY; TO PROVIDE FOR THE REFUNDING AND AMORTIZATION OF THE OUTSTANDING OBLIGATIONS OF WILCOX COUNTY AND THE REFUNDING AND AMORTIZATION OF OBLIGATIONS OF WILCOX COUNTY THAT MAY HEREAFTER BE ISSUED, be and the said section is hereby amended so that the said section shall read in its entirety as follows:

"Section 2. MATURITY OF BONDS AND WARRANTS:—Bonds and warrants shall be used as evidence of all indebtedness which matures more than one year after the date of issue thereof, and the last maturity thereof shall be not more than twenty years after the date of issue. All bonds and warrants, whether evidencing new obligations or whether they be issued for refunding purposes, shall mature serially in either semiannual or annual installments. The first semiannual or annual installment shall mature not later than three years after the date of issue and the last such installment shall completely liquidate the then unpaid portion of the entire issue. The total amount of principal maturing during any fiscal year of the county shall be not more than three times as much as the smallest total maturing during any prior fiscal year of the same issue."

(2) Section 5 of said Act No. 317 adopted at the 1943 Regular Session of the Legislature of Alabama is hereby amended so that said section shall read as follows:

"Section 5. SALES OR EXCHANGE OF SECURITIES:—All bonds and warrants which may be sold shall be sold at public sale to the bidder

whose offer to purchase the same reflects the lowest net interest cost to the county for the bonds or securities so offered. The total lowest net interest cost shall be ascertained by adding the total interest payable on the securities so sold computed from their date to their respective maturities, computed at the applicable rate or rates named in the successful bid, and adding to such total any discount below the face value of such securities which may be stated in the bid if the bid is less than the face value of the securities sold, or subtracting from such total the premium in excess of the face amount of such securities named in the successful bid if the bid is more than the face amount of the securities offered for sale. The public sale shall be by sealed bids opened in public. Invitation for bids for the securities offered for sale shall be published one time in a newspaper published in the county if a newspaper is at the time published in the county, which publication shall be made not less than ten days prior to the date fixed for the sale. Copies of the invitation for bids shall also be forwarded to the Director of the State Department of Finance at Montgomery, Alabama, or any successor to his duties, with the request that that officer cause such invitation for bids to be mailed not less than ten days before the date fixed for the sale to all security dealers to whom he customarily mails notices of sales of securities by counties in Alabama. The invitation for bids shall state the amount of the securities to be sold, the maturities thereof, the amount payable at each maturity, the time and place of submitting the sealed bids, and shall include an invitation for the bidders to name in their bids the rate or rates of interest to be borne by the securities. No bid shall be considered unless it is accompanied by a cashier's check or a certified check drawn on a bank that is a member of the Federal Reserve System and made payable to the order of the county in an amount not less than 2% of the principal amount of the securities offered for sale, and the invitation for bids shall so state. The county shall have the right to reject all bids. The determination by the governing body of the county of the bid that reflects the lowest net interest cost to the county, in accordance with the provisions hereinabove provided, shall be final. The minutes of the governing body of the county shall show the names of those bidding, the rate or rates of interest named in their bids, and the amount of their respective bids. No refunding securities shall be exchanged for securities at the time outstanding unless invitations for bids for such exchanges shall be given in the manner hereinabove provided for the sale of securities, and no such exchange shall be made by the county except to those whose bid for the refunding by exchange is determined by the governing body of the county to be the best bid received. Refunding securities shall not be exchanged with the holder of outstanding securities in such manner as to circumvent the provisions of this act requiring competitive bidding."

(3) Section 7 of said Act No. 317 adopted at the 1943 Regular Session of the Legislature of Alabama is hereby amended so that said section shall read as follows:

"Section 7. CALLABILITY:—All securities issued by the county having maturities more than ten years from the date of their issue shall be made redeemable at the option of the county at the expiration of the tenth year after the date of issue and on any interest payment date thereafter under such terms and in such manner as may be provided in the proceedings under which the securities are issued; provided, that notice of any such redemption shall be given not less than thirty days before the date fixed for redemption by publication in a newspaper published in one of the three largest cities in the state according to the last published Federal Census report preceding the date of the publication of the notice of redemption. The governing body of the county may, in the proceedings under which the securities are issued, provide for an earlier optional re-

demption date if it deems such action advantageous to the county. No redemption price for the redemption of any securities shall exceed the face value of each security redeemed plus accrued interest thereon to the date fixed for redemption and a premium equal to one year's interest thereon."

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edwina LeCroy, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Wilcox Progressive Era, a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 17, May 24, May 31, and June 7, all in the year 1962.

EDWINA LECROY.

Sworn to and subscribed before me June 8, 1962.

ELEANOR H. HAYS,
Title Notary Public Wilcox Co. Ala.

By Mr. Caffey:

S. 26. To amend Section 1 of Title 32, Code of Alabama of 1940, distributing the membership of the House of Representatives of the Legislature of Alabama among the several counties of the State.

Committee on Judiciary.

By Mr. Caffey:

S. 27. To amend Section 2 of Title 32, Code of Alabama of 1940, relative to the division of the State into senatorial districts.

Committee on Judiciary.

By Mr. Caffey:

S. 28. Proposing an amendment to the Constitution of Alabama 1901 relating to the creation of a legislative apportionment commission.

Committee on Constitution, Constitutional Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Gaither:

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

Committee on Constitution, Constitutional Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Perry, Sessions, Rast, Morrow and Edwards:

H. J. R. 5. WHEREAS, John A. Jenkins, of Birmingham, Alabama, is a candidate for the high office of Junior Vice Commander-in-Chief of the Veterans of Foreign Wars of the United States, at its convention to be held in August, 1962 in the City of Minneapolis, Minnesota, and

WHEREAS, the said John A. Jenkins has been an active member of the Veterans of Foreign Wars in the City of Birmingham where he served as Commander of his Post performing many tasks of civic and community-building nature, in addition to his work in behalf of the veterans, and

WHEREAS, the said John A. Jenkins was Commander of the Veterans of Foreign Wars, Department of Alabama, during the year 1954 and 1955, performing outstanding services in behalf of the veteran and in behalf of the V. F. W., serving as Commander with dignity, intelligence and ability, and

WHEREAS, John A. Jenkins has been for many years an outstanding trial lawyer in the City of Birmingham, a former City Judge, a City Attorney and an Instructor in the Birmingham School of Law, and

WHEREAS, John A. Jenkins is a member of the Board of Directors of the State Anti-Tuberculosis Association, a member of the Selective Service Board of Appeals for the Northern District of Alabama and a former member of the State Board of Veteran Affairs, President of the Alumni Association of the Marion Institute and an Arbitrator acceptable to management and labor approved by the Federal Mediation and Conciliation Service.

NOW, THEREFORE, BE IT RESOLVED by the Legislature of the State of Alabama, in a Special Session assembled, that we endorse the candidacy of John A. Jenkins for the high office of Junior Vice Commander-in-Chief of the Veterans of Foreign Wars and recommend him in every possible way to the citizens of other states and offer our assistance to him in his campaign for this high office.

BE IT FURTHER RESOLVED that a copy of this Resolution be circulated among the proper officers of the Veterans of Foreign Wars of the Southern states.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dumas, the Rules were suspended and the Resolution, H. J. R. 5 set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the First Legislative Day was approved by the Senate.

ADJOURNMENT

At 2:55 P. M., on motion of Mr. Eddins and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Friday, June 15, 1962, at 10:00 o'clock A. M.

SECOND LEGISLATIVE DAY
FRIDAY, JUNE 15, 1962

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by Dr. Henry Lyon, Pastor, Highland Avenue Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dumas	Jones	Samford
Andrews	Eddins	Kendall	Shelton
Barnett	Gaither	Moses	Turner
Berryman	Givhan	Porter	Webb
Caffey	Golson	Roberts	Wilson
Clark	Graham	Robison	Word
Cooper	Hines	Rutledge	Wyatt
Crawford			

JOURNAL

On motion of Mr. Gaither, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Wyatt, leave of absence was granted Mr. Leonard for today.

On motion of Mr. Turner, leave of absence was granted Mr. Farmer for today.

On motion of Mr. Porter, leave of absence was granted Mr. Godfrey for today.

On motion of Mr. Samford, indefinite leave of absence was granted Mr. Green.

On motion of Mr. Cooper, leaves of absence were granted Messrs. Haltom and deGraffenried for today.

MOTION TO RECESS ADOPTED

At 10:08 A.M., on motion of Mr. Jones, the Senate took a recess until 10:25 A.M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Boutwell.

ROLL CALL

Present:

Messrs.:	Dumas	Jones	Samford
Andrews	Eddins	Kendall	Shelton
Barnett	Gaither	Moses	Turner
Berryman	Givhan	Porter	Webb
Caffey	Golson	Roberts	Wilson
Clark	Graham	Robison	Word
Cooper	Hines	Rutledge	Wyatt
Crawford			

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REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution and finds same correctly enrolled, to-wit:

S. J. R. 1. Clarifying the eligibility of employees for coverage in the Employees' Retirement System of Alabama.

HUGH MOSES,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution, the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Barnett:

S. 30. Relating to municipal elections; authorizing all qualified electors living within the limits of the police jurisdiction of any city or town in any county of the State to vote at municipal elections held by the city or town within whose police jurisdiction they reside, and directing the governing body of each incorporated municipality in the county to designate the place at which electors may vote.

Committee on Municipalities and Municipal Organizations.

By Mr. Caffey:

S. 31. To authorize and provide for the creation of a public corporation in each county of the state which has a population of at least 250,000, but not more than 500,000 according to the last or any subsequent federal decennial census, to provide for, promote and encourage education on a college or university level and cultural and scientific opportunities for the inhabitants of the county; to provide for the selection of the members and board of directors thereof; to authorize and direct such board to become a public corporation; to prescribe the manner of effecting such corporation; to authorize and empower the corporation to enter into agreements with public educational bodies or any governmental agency or body for the purpose of carrying out its functions; to provide for the powers of such corporation, its continuation and dissolution; and to provide for the transfer to any corporation formed hereunder of the rights, powers, duties and assets of certain other public corporations, which are hereby abolished.

Committee on Local Legislation.

By Mr. Caffey:

S. 32. To designate certain areas of Mobile Bay for the taking of seed oysters.

Committee on Fish and Game.

By Mr. Webb:

S. 33. To amend Sections 647 and 649 of Title 51, Code of Alabama 1940, as last amended by Act No. 948, 1961 Acts of Alabama, page 1523, relating to the excise tax on gasoline, so as to provide that one-half of one per cent of the state excise gasoline taxes collected in this State, with certain exceptions, shall be deposited to the Water Safety and Seafood Funds, and to provide for the expenditure of such funds deposited;

and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By: Messrs. Rast, Perry, Sessions, Hawkins (Auburn University), Locke, Morrow and Rogers (Mobile):

H. J. R. No. 10. WHEREAS, Paul "Bear" Bryant of the number one school in the number one state is the number one coach of the number one football team in the number one country in the world,

THEREFORE, BE IT RESOLVED that the number one legislative body in the world does congratulate its own Paul "Bear" Bryant and each of his players on this wonderful achievement,

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Coach Bryant and to the President of the University of Alabama.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dumas, the Rules were suspended and the Resolution H. J. R. 10 set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Callahan:

H. J. R. No. 9. Whereas in recent months there have been numerous wrecks on the highways of Alabama resulting in the slaughter of people, many of them under circumstances of indescribable horror and deepest tragedy and, whereas there is a definite responsibility on the entire citizenry of the state of Alabama to make every effort and to do everything humanly possible to prevent this wastage and spoilage of human lives not to mention the substantial economic losses involved. And,

Whereas, the forthcoming month of July includes the glorious day, the commemoration and celebration of the signing of the Declaration of Independence of these United States of America when the minds of all American people should be free and unencumbered to give thanks to Almighty God for this glorious event which has so much significance to every real American, but which, in recent years, has been the occasion for an almost wholesale slaughter of peoples on our highways to the extent

that most Americans now dread to see this day approaching realizing that the most noticeable aftermath of this day is not one of glory but one of sadness produced by the unnecessary loss of lives. And,

Whereas, it is recognized that there is no such thing as an unavoidable accident; that accidents are caused or produced by human carelessness; that practically all traffic accidents are caused by either the careless or willful violation of laws and ordinances which have been enacted for the regulation of traffic on our streets and highways. And,

Whereas, every person who operates an automobile in the state of Alabama should be made to realize that he is, in truth and in fact, his brother's keeper, and that those who cannot be persuaded to operate their vehicles carefully and lawfully, should be compelled so to do by the law enforcement agencies and the judiciary of this state. And,

Whereas, the Legislature of Alabama is of the opinion that these matters should be called to the attention of our people, forcefully, impressively, and persuasively, to the end that these horrible tragedies can be averted.

Now, therefore, Be It Resolved by the House of Representatives of the State of Alabama, the Senate concurring, as follows:

That the Governor of the State of Alabama, the Honorable John Patterson, be, and he hereby is, respectfully requested and importuned to declare the month of July, 1962, as "Highway Safety Month" and that he issue a proclamation so stating, and that such proclamation call on all Sheriffs, Highway Patrolmen, Police Officers, Constables, and all law enforcement officers to be especially alerted during the forthcoming month of July about their duties insofar as traffic is concerned; that such proclamation call on the Mayors of the various municipalities of this state and the county governing bodies of this state to exercise their authority in a manner calculated to produce careful, prudent, and lawful operation of automobiles within the territorial confines of their respective governmental sub-divisions.

That it be suggested to the Governor that the guidance and watching care of Almighty God be invoked by our people during this month to the end that the useless and unnecessary injury and loss of life may be prevented; that those who conduct religious worship services, of whatever doctrine or creed, emphasize man's duty to man and man's duty to God in the use of motor vehicles; and that such proclamation be so worded that, if heeded by the people of our state, all deaths on our highways will be prevented and no person within the entire length and breadth of the State of Alabama will lose their life needlessly and unnecessarily in a traffic accident.

And be it further resolved that a committee consisting of two senators and three house members be appointed to call upon His Excellency, the Governor, and present this resolution to him and urge his sympathetic consideration of same, the members of such committee to be selected by the Lt. Governor and the Speaker of the House.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Kendall, the Rules were suspended and the Resolu-

tion H. J. R. 9, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Callahan, Merrill, Albea and Rast:

H. J. R. 6. WHEREAS, the people of Alabama learned with deep regret of the untimely passing of Tom Bible, University of Alabama student and football player, who was drowned near Mobile on Tuesday, June 12, 1962, and

WHEREAS, Tom Bible was a gentleman of the finest quality, a 210 lb., 21 year old lineman on the University of Alabama 1961 National Champions Team, and

WHEREAS, His pleasing personality, and gentlemanly disposition together with his outstanding ability as a football player will be missed by not only the University of Alabama Football Team but by all the students at the University of Alabama and all the people of the State of Alabama.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING AS FOLLOWS:

1. That the Legislature of Alabama deeply regrets the passing of this fine young man and does hereby extend its sympathy to his parents and to his thousands of friends throughout the State.

BE IT FURTHER RESOLVED; That a copy of this Resolution be forwarded by the proper officer of this Legislature to the parents of this fine young man, and that a copy be sent to the Athletic Director of the University of Alabama.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Shelton, the Rules were suspended, and the Resolution H. J. R. 6, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Pruitt:

H. J. R. 7. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that when the two Houses ad-

journal today, they adjourn to meet again on Tuesday, June 19, 1962, and when they adjourn on Tuesday, they adjourn to meet again on Wednesday, June 20, 1962, when they adjourn on Wednesday, they adjourn to meet again on Thursday, June 21, 1962, and when they adjourn on Thursday, they adjourn to meet again on Friday, June 22, 1962.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution H. J. R. 7, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By: Messrs. Pruitt and Smith (Russell)

H. J. R. 8. WHEREAS there are many legal and technical questions which are being considered by the Legislature of Alabama in the present Special Session, and

WHEREAS many of the members of the Legislature have not had an opportunity to make a detailed study of the questions involved, and

WHEREAS Mr. Gordon Madison, Assistant Attorney General of the State of Alabama, has made a study of the reapportionment decisions throughout the United States and has ably represented the State of Alabama in many cases involving constitutional law; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the members of the House and Senate respectfully request Mr. Gordon Madison to assist them on mutually agreeable occasions by giving them the benefit of his legal knowledge and study of reapportionment cases.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended, and the Resolution H. J. R. 8, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORTS OF COMMITTEES

Mr. Jones, Chairman of the Standing Committee on Constitution, Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Gaither (With substitute):

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

The above Bill was read a second time at length as required by the Constitution.

Mr. Jones, Chairman of the Standing Committee on Constitution, Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Jones:

S. 8. Proposing an amendment to the Constitution of Alabama relating to the mode of proposing constitutional amendments.

The above Bill was read a second time at length as required by the Constitution.

Mr. Rutledge, Vice-Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Wyatt:

S. 5. Relating to counties having populations of not less than 96,000 nor more than 106,000, fixing the compensation of the judges of probate of such counties.

By Mr. Porter:

S. 15. Relating to counties having populations of not less than 15,300 nor more than 15,400 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law; giving the act retroactive effect.

By Mr. Porter:

S. 16. To regulate the compensation of members of the county board of education in counties having populations of not less than 15,300 nor more than 15,400 inhabitants according to the 1960 federal decennial census; giving the Act retroactive effect.

By Mr. Porter:

S. 17. To provide for the employment of a deputy clerk in the office of the clerk of the circuit court in counties of not less than 15,300 nor more than 15,400 population according to the last or any subsequent federal decennial census, and giving the Act retroactive effect.

By Mr. Porter:

S. 18. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of

not less than 15,300 nor more than 15,400 according to the 1960 or any subsequent federal decennial census, and giving the act retroactive effect.

By Mr. Cooper (With Notice and Proof):

S. 25. To amend Sections 2, 5, and 7 of Act No. 317 adopted at the 1943 Regular Session of the Legislature of Alabama so as to make changes in the provisions thereof respecting the details and sales of securities by Wilcox County.

By Mr. Eddins (By request):

S. 21. Relating to cities having populations of not less than 100,000 nor more than 200,000 inhabitants: to provide for the payment of benefits to employees of any such city who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such city who are killed in the performance of their official duties.

By Mr. Eddins (By request):

S. 22. To repeal Act No. 627 of the 1961 Regular Session of the Legislature of Alabama proposing an amendment to the Constitution of Alabama relative to the levying of additional taxes for school purposes within Montgomery County.

By Mr. Eddins (By request):

S. 23. Relating to counties having populations of not less than 150,000 nor more than 300,000 inhabitants: To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

By Mr. Eddins (By request):

S. 24. To amend Act No. 298, H. 823, Regular Session 1955, an act authorizing the governing body of any county having a population of not less than 125,000 nor more than 225,000, and the governing body of any municipality within such a county, to create a joint public charity hospital board (Acts 1955, Vol. 1, p. 694).

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 3. Relative to designating Alabama Highway No. 79 "The Albert Boutwell Highway".

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President Pro-tem of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-

thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 5. Relative to endorsing the candidacy of John A. Jenkins for the office of Junior Vice Commander-in-Chief of the Veterans of Foreign Wars.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Second Legislative Day was approved by the Senate.

ADJOURNMENT

At 11:00 A.M., on motion of Mr. Robison and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, June 19, 1962, at 10:00 A.M.

THIRD LEGISLATIVE DAY
TUESDAY, JUNE 19, 1962

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by Mr. Levoy Bivens, Minister, Highland Avenue Church of Christ, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	deGraffenried	Graham	Robison
Andrews	Dumas	Haltom	Samford
Barnett	Eddins	Hines	Shelton
Berryman	Farmer	Jones	Turner
Caffey	Gaither	Kendall	Webb
Clark	Givhan	Leonard	Wilson
Cooper	Godfrey	Moses	Word
Crawford	Golson	Porter	Wyatt

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JOURNAL

On motion of Mr. Robison, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Turner, leaves of absence were granted Messrs. Rutledge and Roberts for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Jones:

S. 34. To amend Act. No. 49, H. 213, Regular Session 1957, which provides for a Chief Deputy Sheriff and other Deputies Sheriff of Elmore County and regulates their compensation, allowances, and expenses (Acts, 1957, vol. I, p. 92).

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE
STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act. No. 49, H. 213, Regular Session 1957, which provides for a Chief Deputy Sheriff and other Deputies Sheriff of Elmore County and regulates their compensation, allowances, and expenses (Acts 1957, vol. I, p. 92).

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 2, 3, 4, 5, 6, 7, and 8 of Act No. 49, H. 213, Regular Session 1947, an Act providing for a Chief Deputy Sheriff and other Deputies Sheriff of Elmore County and regulating their compensation, allowances, and expenses (Acts 1957, vol. I, p. 92), are hereby amended to read as follows:

"Section 2. The Chief Deputy Sheriff shall receive a salary of not less than three thousand six hundred dollars nor more than four thousand eight hundred dollars a year, the same to be fixed by the Court of County Commissioners of said County.

"Section 3. The said Sheriff may also have a Deputy Sheriff who shall receive a salary of not less than three thousand three hundred dollars nor more than four thousand five hundred dollars a year, the same to be fixed by the Court of County Commissioners of said County.

"Section 4. Said Sheriff may also have a Deputy who shall receive a salary of not less than three thousand three hundred dollars nor more than four thousand five hundred dollars a year, the same to be fixed by the Court of County Commissioners of said County.

"Section 5. Said Sheriff may also have a deputy who shall receive a salary of not less than three thousand three hundred dollars nor more than four thousand five hundred a year, the same to be fixed by the Court of County Commissioners of said County, and whose duties shall be performed principally in that section of Elmore County west of the Coosa River.

"Section 6. The said Chief Deputy and the Deputies authorized in Sections 4 and 5 hereof, in addition to the regular monthly compensation, shall each be paid for traveling in the performance of his official duties as such Chief Deputy and Deputies in all cases where he provides his own vehicle and pays for operating the same, the sum of \$200.00 a month for expenses.

"Section 7. Said Sheriff may also have an additional Deputy who shall receive a salary of not less than one thousand six hundred fifty dollars a year nor more than two thousand two hundred fifty dollars a year, the same to be fixed by the Court of County Commissioners of said County, and whose duties shall be performed principally in the vicinity of Martin Lake; said compensation to be payable in equal monthly installments, and in addition to said salary, said Deputy shall be entitled to expenses for traveling in the performance of his official duties at the rate of \$200.00 a month.

"Section 8. The regular annual salaries of the Chief Deputy and other Deputies hereinabove provided for shall be payable in equal monthly in-

stallments out of the general fund of the County or out of the county highway and traffic fund, whichever the county governing body may prescribe, and all travel expenses hereinabove provided for shall be paid each month from either of such funds in the county treasury upon presentation of claims therefor filed with the Court of County Commissioners of said County."

Section 2. This Act shall take effect only upon the approval by the voters of Elmore County of an Act enacted at the current session of the legislature entitled "An Act to change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such bases." If that Act is not approved as prescribed therein, this Act shall not have any effect.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bruce Jetton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24th, May 31st, June 7th, and June 14th, all in the year 1962.

BRUCE JETTON.

Sworn to and subscribed before me June 19, 1962.

SARAH SMITH,
Title Notary Public,
Elmore County, Alabama.

By Mr. Jones:

S. 35. To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) The following officers of Elmore County shall be entitled to receive annual salaries in lieu of any fees, commissions, allowances, percentages, charges, and costs, except as herein otherwise provided:

1. The judge of probate shall receive an annual salary of ten thousand dollars, which shall include compensation for all ex officio duties.

2. The sheriff shall receive an annual salary of nine thousand dollars. The sheriff shall also be entitled to an allowance of two hundred dollars a month for travel expenses.

3. The tax assessor shall receive an annual salary of eight thousand four hundred dollars.

4. The tax collector shall receive an annual salary of seven thousand two hundred dollars.

5. The clerk of the circuit court shall receive an annual salary of six thousand six hundred dollars which shall include his compensation for all ex officio duties including services as ex officio Clerk of the Elmore County Court.

6. The register of the circuit court shall receive an annual salary of one thousand eight hundred dollars.

(b) The court of county commissioners, board of revenue, or other like governing body of Elmore County may, in its discretion, decrease the salaries of any one or more of the officers enumerated in subsection (a), provided that such decrease shall not take effect during the term for which officer was elected or appointed, and provided also that the salary of the judge of probate shall not be reduced below seven thousand two hundred dollars per annum, the salary of the sheriff shall not be reduced below six thousand dollars per annum, the salary of the tax assessor shall not be reduced below five thousand four hundred dollars per annum, the salary of the tax collector shall not be reduced below five thousand dollars per annum, the salary of the clerk of the circuit court shall not be reduced below five thousand dollars per annum, and the salary of the register of the circuit court shall not be reduced below twelve hundred dollars per annum.

Section 2. The court of county commissioners, board of revenue, or other like governing body of Elmore County, shall provide compensation for clerks, assistants and secretaries for the offices enumerated in this Act in such number as may be necessary for the efficient conduct of their offices; provided, the judge of probate shall not be allowed more than two full time clerks, the sheriff shall be allowed a jailer and the same

number of deputies and other assistants as are now provided by law who shall receive the compensation and allowances as may be prescribed by law, the clerk of the circuit court shall not be allowed more than two full time clerks, the tax assessor shall not be allowed more than one full time clerk, the tax collector shall not be allowed more than one full time clerk, and the register of the circuit court shall not be allowed any full time clerks. Each officer shall appoint his own deputies, clerks, secretaries, and assistants, and shall fix their compensation, subject to the approval of the board of revenue, county commissioners, or other like county governing body as to number and rate of pay, except as herein otherwise provided. The sheriff shall also be allowed to appoint one full time clerk whose compensation shall be fixed by the county governing body.

Section 3. The fees, commissions, percentages, allowances, charges, and court costs heretofore collectible for the use of any of the officers enumerated in Section 1 of this Act shall hereafter be collected for the use of the county and shall be paid into the general fund of the county. Provided, the sheriff shall be entitled to the allowances payable by the state for feeding prisoners and also such mileage and expense allowances as may be payable according to law for returning or transferring prisoners and insane persons to or from points outside Elmore County. The compensation of the officers enumerated in Section 1, and of their clerks, deputies, secretaries, and other assistants shall be paid in equal monthly installments from the general fund of the county in the same manner as employees of the county are paid.

Section 4. The court of county commissioners, board of revenue, or other like governing body of Elmore County shall provide the judge of probate, sheriff, tax assessor, tax collector, clerk of the circuit court, and register of the circuit court, with the books, stationery, office equipment, supplies, postage, and other conveniences as may be necessary for the proper and efficient conduct of the affairs of their respective offices, but not including motor vehicles; and may provide for the installation, repair, and maintenance of an inter-communication system for the sheriff and his deputies.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective as to each county office specified at the expiration of the term of the incumbent officer, and upon the approval of the Act by a majority of the qualified electors of the county who vote thereon at a referendum election held for that purpose. The referendum shall be held on the same day as the next general election for state officers, and the question to be submitted shall be stated on the ballots or voting machine tabs substantially as follows: Do you favor adoption of the Act of the Legislature providing for compensation of Elmore County officers on salary basis? The court of county commissioners, board of revenue or other like governing body of the county shall call and provide for holding the referendum, which shall be held and conducted as nearly as may be in the same manner as elections providing for the levy of county school taxes. The probate judge of the county shall certify the results of the referendum to the Secretary of State of Alabama within 30 days after the election returns have been canvassed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bruce Jetton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, 1962, May 31, 1962, June 7, 1962, and June 14, all in the year 1962.

BRUCE JETTON.

Sworn to and subscribed before me June 19, 1962.

SARAH SMITH,
Title Notary Public,
Elmore County, Alabama.

By Mr. Robison:

S. 36. Relating to counties having populations of not less than 140,000 nor more than 250,000; to provide the procedure for initiating complaints under Act No. 295, Special Session, 1961, approved September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940.

Committee on Local Legislation.

By Mr. deGraffenried:

S. 37. To Fix the Salary of Deputy Circuit Solicitor No. 2 of the Sixth Judicial Circuit of Alabama.

Committee on Local Legislation.

By Mr. deGraffenried:

S. 38. Relating to inferior courts in counties having a population of not less than one hundred thousand nor more than one hundred fifteen thousand inhabitants; increasing the jurisdiction of such inferior courts of such counties from \$300 to \$500 in civil cases and providing additional compensation for the judge of such courts beginning with his next term of office in January, 1963.

Committee on Local Legislation.

REPORTS OF COMMITTEES

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Caffey:

S. 31. To authorize and provide for the creation of a public corporation in each county of the state which has a population of at least 250,000,

but not more than 500,000 according to the last or any subsequent federal decennial census, to provide for, promote and encourage education on a college or university level and cultural and scientific opportunities for the inhabitants of the county; to provide for the selection of the members and board of directors thereof; to authorize and direct such board to become a public corporation; to prescribe the manner of effecting such corporation; to authorize and empower the corporation to enter into agreements with public educational bodies or any governmental agency or body for the purpose of carrying out its functions; to provide for the powers of such corporation, its continuation and dissolution; and to provide for the transfer to any corporation formed hereunder of the rights, powers, duties and assets of certain other public corporations, which are hereby abolished.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Mr. Walter R. Byars, Birmingham, as a member of the Board of Appeals for the Department of Industrial Relations, representing Employers, to succeed Mr. C. B. Rosser, Jr., for the term expiring March 28, 1963.

Respectfully,
JOHN PATTERSON,
Governor

GOVERNOR'S MESSAGE

On motion of Mr. Robison, the foregoing Message from His Excellency the Governor relative to the Board of Appeals, Department of Industrial Relations, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Mr. Robert L. Harper, Montgomery, Alabama, as a member of the Alabama Educational Television Commission, for the term expiring June 25, 1971.

Respectfully,
JOHN PATTERSON,
Governor

GOVERNOR'S MESSAGE

On motion of Mr. Robison, the foregoing Message from His Excellency the Governor relative to the Alabama Educational Television Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the State Board of Education:

J. P. Faulk, Jr., Samson, From the Third District, for the term expiring October 1, 1967.

Harvey J. Wright, Guntersville, From the Fifth District, for the term expiring October 1, 1967.

Edmon L. Rinehart, Birmingham, From the Ninth District, for the term expiring October 1, 1967.

Roland H. Bounds, Thomasville, From the First District, for the term expiring October 1, 1967.

Respectfully,
JOHN PATTERSON,
Governor

GOVERNOR'S MESSAGE

On motion of Mr. Robison, the foregoing Message from His Excellency the Governor, relative to the State Board of Education, was read and referred to the Standing Committee on Rules.

RECESS

At 10:15 A. M., on motion of Mr. Robison, the Senate took a recess until 11:00 o'clock A. M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Boutwell, President and Presiding Officer of the Senate.

ROLL CALL

Present:

Messrs.:	deGraffenried	Graham	Robison
Andrews	Dumas	Haltom	Samford
Barnett	Eddins	Hines	Shelton
Berryman	Farmer	Jones	Turner
Caffey	Gaither	Kendall	Webb
Clark	Givhan	Leonard	Wilson
Cooper	Godfrey	Moses	Word
Crawford	Golson	Porter	Wyatt

BILLS ON THIRD READING

The Bill:

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

was taken up.

The Standing Committee on Constitution, Constitutional Revision and Amendments offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR S. B. 29

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama 1901 is proposed and shall become valid as a part thereof when approved and proclaimed as prescribed by law:

PROPOSED AMENDMENT

1. The legislature of Alabama shall consist of a senator for each county and 106 members of the house of representatives, to be apportioned among the several counties as herein prescribed; provided, that in addition to the above number of representatives each new county hereafter created shall be entitled to at least one representative.

2. At the general election in 1966, and every four years thereafter, a senator shall be elected by the qualified electors of each county in the state.

3. At the general election in 1966, and every four years thereafter, until the house of representatives is reapportioned as herein provided, the qualified electors of each county in the state shall elect such number of representatives as may be apportioned to the county as follows:

The county of Jefferson shall have and elect fourteen representatives; the county of Mobile shall have and elect seven representatives; the county of Montgomery shall have and elect four representatives; the counties of Calhoun, Etowah, Madison and Tuscaloosa shall each have and elect three representatives; the counties of Baldwin, Dallas, Houston, Lauderdale, Lee, Marshall, Morgan, Talladega and Walker shall each have and elect two representatives; and the remaining counties of the state shall each have and elect one representative.

4. On the first day, or within one week thereafter, of the regular session of the legislature in 1971, and every fifth regular session thereafter, the clerk of the house of representatives shall transmit to the secretary of state a statement showing the whole number of persons in each county under the most recent decennial census of the United States, and the number of representatives to which each county will be entitled under

an apportionment of the then existing number of representatives by the method known as the method of smallest divisors, no county to receive less than one representative.

5. In Section 284 of this Constitution as amended, strike out the last sentence thereof and insert the following sentence:

Representation in the house of representatives of the legislature shall be based upon population, and such basis of representation shall not be changed by constitutional amendments.

6. Article IX (sections 197-203) of this Constitution is hereby expressly repealed.

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Mr. Jones offered the following amendment to the substitute for the Bill, to-wit:

Amendment to substitute for S. 29

At the end of Section 1 of the bill, add the following paragraph:

7. The per diem compensation of senators and representatives shall be fixed by the legislature at an amount not exceeding ten dollars a day, and the daily expense allowance of members shall not exceed ten dollars, and until the legislature fixes the compensation and allowance of members, each shall receive twenty dollars a day for pay and expenses.

Which was adopted.

Yeas 20; Nays 8.

Yeas:

Messrs.:	Dumas	Graham	Robison
Andrews	Eddins	Jones	Shelton
Berryman	Farmer	Kendall	Turner
Caffey	Gaither	Moses	Webb
Clark	Givhan	Porter	Word
deGraffenried			

—20

Nays:

Messrs.:	Godfrey	Hines	Samford
Barnett	Golson	Leonard	Wilton
Cooper			

—8

RECESS

At 11:59 A. M., on motion of Mr. Golson, pending further consideration of S. B. 29, the Senate took a recess until 2:00 o'clock P. M. this afternoon.

AFTERNOON SESSION

THIRD LEGISLATIVE DAY

TUESDAY, JUNE 19, 1961

The Senate re-assembled at 2:00 o'clock P.M., Lieutenant Governor Boutwell presiding.

ROLL CALL

Present:

Messrs.:	deGraffenried	Graham	Robison
Andrews	Dumas	Haltom	Samford
Barnett	Eddins	Hines	Shelton
Berryman	Farmer	Jones	Turner
Caffey	Gaither	Kendall	Webb
Clark	Givhan	Leonard	Wilson
Cooper	Godfrey	Moses	Word
Crawford	Golson	Porter	Wyatt

—31

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Golson (By Request):

S. 39. To amend Section 456 of Title 51, Code of Alabama 1940, which prescribes the license fees for advertising companies.

Committee on Finance and Taxation.

By Mr. Haltom:

S. 40. To define, regulate, and license barbers, barber colleges, and other like businesses in any and all counties having a population of not less than 61,000 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census, to create a barbers' commission for each county to which the Act applies; to fix the powers and duties of the commission; to transfer to the commission all rights, powers, duties and authority, together with all funds, property, books, papers, records and effects belonging to, and all obligations incurred by, each barbers' commission heretofore created or existing in each county to which this Act applies; and to prescribe penalties for violating the provisions of this Act.

Committee on Local Legislation.

By Mr. Wyatt:

S. 41. To amend Act No. 153, H. 449, approved June 30, 1953 (Acts of Alabama 1953, vol. 1, p. 195), as amended by Act No. 275, H. 451, approved August 7, 1961, and fixing the minimum salary of firemen and policemen in certain cities classified on a population basis.

Committee on Local Legislation.

By Mr. Wyatt:

S. 42. Relating to the office of solicitor of the Thirtieth Judicial Circuit; creating a solicitor's fund for the use of the circuit solicitor.

Committee on Finance and Taxation.

By Mr. Wyatt:

S. 43. Relating to counties having populations of not less than 24,800 nor more than 25,400; providing clerical assistance for certain officers of such counties.

Committee on Local Legislation.

By Messrs. Turner, Webb, Porter, Farmer, Crawford, Jones, Graham, Barnett, Moses, Hines, Samford, Golson, Rutledge, Andrews, Cooper, Wyatt, Clark, Wilson, Kendall, Berryman and Givhan:

S. 44. Proposing to amend Constitution of Alabama 1901 in relation to the distribution of certain state revenues and the right of exemptions or refunds.

Committee on Constitution, Constitutional Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Turner, Webb, Graham, Barnett and Kendall:

S. 45. Proposing an amendment to the Constitution of Alabama relative to the distribution of certain state funds among the several counties.

Committee on Constitution, Constitutional Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 6. Relative to the untimely passing of Tom Bible, University of Alabama student and football player.

Also:

H. J. R. 8. Relative to requesting the assistance of Mr. Gordon Madison.

Also:

H. J. R. 9. Relative to declaring the month of July, 1962 as "Highway Safety Month".

Also:

H. J. R. 10. Relative to congratulating University of Alabama Football Coach Paul "Bear" Bryant and his team for their 1961 football achievements.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Smith (Russell), Ramey, Turner, Engel, Grouby, Nichols, Ingram and Casey:

H. 5. To make an additional appropriation for payment of expenses of the Legislature.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 5—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Grouby:

H. 4. To provide further for election of the chairman and members of the board of education of Autauga County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide further for election of the chairman and members of the board of education of Autauga County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. A member of the board of education of Autauga County shall be nominated and elected by the qualified electors of each of the several school districts of the county for such terms as are provided by Act No. 194, H. 519, approved September 30, 1959 (Acts 1959, p. 730); and at the expiration of the term of the incumbent board chairman, the members of the board shall elect a chairman from among their own number, to hold office for such term as the board may prescribe.

Section 2. The provisions of Act No. 194, H. 519, approved September 30, 1959, which conflict with this Act are hereby repealed. All other laws or parts of laws in conflict with this Act are also repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Walker Flournoy, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, 1962, May 17, 1962, May 24, 1962 and May 31, 1962.

WALKER FLOURNOY.

Sworn to and subscribed before me June 11, 1962.

EFFIE A. CARTER,
Title Notary.

Also:

By Messrs. Albea and Merrill:

H. 6. To make an appropriation from the county treasury of Calhoun County for the relief of M. S. Nelson.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CALHOUN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation from the county treasury of Calhoun County for the relief of M. S. Nelson.

Preamble

On the night of April 29, 1960, the office of the Calhoun County Court in the courthouse in Anniston, was forcibly entered and the cash drawer forced open and burglarized of \$540.70 in cash, all of which sum was public funds. On the morning of April 30, M. S. Nelson, Clerk of said court, discovered said robbery on arrival at the office and notified the city detectives, who after investigation, have discovered no clues to said burglary.

WHEREAS, M. S. Nelson is held personally responsible under the law for all monies received through the clerk office and has paid the deficiency from his personal funds which sum is not subject to reimbursement or recovery at law.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The sum of \$540.70 is hereby appropriated from the treasury of Calhoun County to reimburse M. S. Nelson for the personal loss sustained by him by reason of the burglary of public funds for which he was responsible. The county commission, board of revenue or other like governing body of Calhoun County is hereby directed to draw or cause a warrant to be drawn on the county treasury in favor of said M. S. Nelson for the amount herein appropriated.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ralph W. Callahan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive

weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 18-25, June 1-8, all in the year 1962.

RALPH W. CALLAHAN.

Sworn to and subscribed before me June 11, 1962.

L. JEAN WILKINSON,
Title Notary Public.

Also:

By Messrs. Albea and Merrill:

H. 7. To authorize the City of Anniston, Alabama, to sell to Alabama Society for Crippled Children & Adults, a corporation, for its reasonable market value the following described real property, to-wit:

Beginning at the northeast corner of the intersection of Walnut Avenue with Thirteenth Street in the City of Anniston, Alabama; thence north along the east boundary line of Walnut Avenue a distance of 100 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street a distance of 50 feet to a point; thence south and parallel with the east boundary line of Walnut Avenue a distance of 40 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street, to a point on the west boundary line of Moore Avenue; thence south along the west boundary line of Moore Avenue a distance of 60 feet to its point of intersection with the north boundary line of Thirteenth Street; thence west along the north boundary line of Thirteenth Street a distance of 150 feet to the point of beginning, said property being situated in the City of Anniston, Calhoun County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama of 1901 that application will be made to the next session of the Legislature of Alabama for the enactment of a local law the substance of which is as follows:

A BILL TO BE ENTITLED AN ACT

To authorize the City of Anniston, Alabama, to sell to Alabama Society for Crippled Children & Adults, a corporation, for its reasonable market value the following described real property, to-wit:

Beginning at the northeast corner of the intersection of Walnut Avenue with Thirteenth Street in the City of Anniston, Alabama; thence north along the east boundary line of Walnut Avenue a distance of 100 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street a distance of 50 feet to a point; thence south and parallel with the east boundary line of Walnut Avenue a distance of 40 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street to a point on the west boundary line of Moore Avenue thence south along the west boundary line of Moore Avenue; a distance of 60 feet to its point

of intersection with the north boundary line of Thirteenth Street; thence west along the north boundary line of Thirteenth Street a distance of 150 feet to the point of beginning, said property being situated in the City of Anniston, Calhoun County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The City of Anniston, Alabama, is hereby authorized and empowered, at the discretion of the Board of Commissioners of said City, to sell to the Alabama Society for Crippled Children & Adults, a corporation, for its reasonable market value the following described property situated in the City of Anniston, Alabama, to-wit:

Beginning at the northeast corner of the intersection of Walnut Avenue with Thirteenth Street in the City of Anniston, Alabama; thence north along the east boundary line of Walnut Avenue a distance of 100 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street a distance of 50 feet to a point; thence south and parallel with the east boundary line of Walnut Avenue a distance of 40 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street to a point on the west boundary line of Moore Avenue; thence south along the west boundary line of Moore Avenue a distance of 60 feet to its point of intersection with the north boundary line of Thirteenth Street; thence west along the north boundary line of Thirteenth Street a distance of 150 feet to the point of beginning, said property being situated in the City of Anniston, Calhoun County, Alabama.

Section 2. In the event the said Alabama Society for Crippled Children & Adults ceases using the building located on the above described property for a vocational rehabilitation workshop, then title to the hereinabove described property is to revert to the City of Anniston, Alabama.

Section 3. This Act shall take effect upon its passage and approval by the Governor or upon its otherwise becoming law.

Personally appeared before me Ralph W. Callahan, who being duly sworn, makes oath that he is General Manager of The Anniston Star, a daily newspaper published in Anniston, Alabama, and that the attached notice was published on the following dates: May 19-26, June 2-9, 1962.

RALPH W. CALLAHAN.

Sworn to and subscribed before me this 11 day of June, 1962.

LOLA J. BRIGHT,
Notary Public.

Also:

By Messrs. Albea and Merrill:

H. 8. To establish an inferior court to be called the Intermediate Civil Court of Calhoun County, Alabama; to provide for the judge, clerks and other officers, their selection and duties; to provide for the jurisdiction, practice and procedure of said court; to provide for the transfer of causes from said court to the circuit court; and to provide for appeals from said court and regulate the manner of taking same.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To establish an inferior court to be called the Intermediate Civil Court of Calhoun County, Alabama; to provide for the judge, clerks and other officers, their selection and duties; to provide for the jurisdiction, practice and procedure of said court; to provide for the transfer of causes from said court to the circuit court; and to provide for appeals from said court and regulate the manner of taking same.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby established and created an Intermediate Civil Court of Calhoun County, Alabama, which shall have countywide jurisdiction and shall be known and designated as the Intermediate Civil Court of Calhoun County, Alabama. Said court shall be held in a place furnished and designated by the county commission of Calhoun County, Alabama.

Section 2. The judge of the Calhoun County Court shall be ex-officio judge of this court.

Section 3. The clerk and assistant clerks of the Calhoun County Court shall be ex-officio clerk and ex-officio assistant clerks respectively, of this court. The clerk of this court shall give bond as the county commission may require.

Section 4. This court shall have and exercise, for the territory hereinbefore defined, all the jurisdiction and power which now are, or which hereafter may be by law conferred upon the circuit courts, in actions at law, where the amount involved exceeds one hundred dollars but does not exceed three hundred dollars.

Section 5. This court shall not have jurisdiction of criminal offenses and shall not have jurisdiction in equity, and shall not have jurisdiction of suits for libel, slander, assault and battery, ejectment or actions in the nature of ejectment, or workmen's compensation.

Section 6. This court shall not have authority to grant writs of certiorari, supersedeas, quo warranto, mandamus, nor writs of injunction or ne exeat.

Section 7. The judge of this court shall have the power to punish for contempt in all cases where judges of the circuit court of this state can punish for contempt by a fine of not more than fifty dollars and by imprisonment not exceeding five days, either or both.

Section 8. The constable of precinct 15 of Calhoun County and the sheriff of Calhoun County shall be ex-officio officers of said court and shall execute all processes from said court and make return thereof, and shall receive the same fees as are now provided by law for similar services, with respect to processes issuing from the courts of justices of the

peace in said county, but the fees of the sheriff shall be covered into the county treasury. All processes in cases may be delivered by the clerk to the sheriff or to the said constable under such rules of the court as the judge may prescribe.

Section 9. The clerk of said court shall issue all processes out of said court, approve all bonds, keep a docket of said court, certify all appeals and perform such other duties as are usually required of clerks of courts. The bailiff's duties for said court shall also be performed by the clerk or one of the deputy sheriffs. The fees and costs that are now allowed by law to the Calhoun County court, or which may hereafter be allowed by law in the Calhoun County court, shall be taxed and collected and paid into the county treasury or as otherwise provided by law.

Section 10. The practice, procedure, judgments and records in this court shall conform to and be governed by the laws applicable to practice and procedure in justice of the peace courts insofar as applicable and except as otherwise provided in this Act. All judgments required to be signed shall be signed by the judge. Judgments and the records thereof shall not be required to be more formal than those in courts of justices of the peace and shall be governed by the same laws as judgments in the courts of justices of the peace. Every intendment is in favor of the sufficiency and validity of proceedings in this court, when brought in question either directly or collaterally in any of the courts of this state where it appears on the face of the proceedings that this court had jurisdiction of the subject matter and the parties.

Section 11. The owner of any judgment of this court may file a certificate of same in the office of the judge of probate under the same procedure and in the same manner as is now or may hereafter be provided for filing certificates of judgments rendered in the circuit court, which judgments when so registered shall be a lien on all property of the defendant subject to levy and sale under execution and such lien shall continue for six years from the date of registration and the registration shall be notice to all persons of the existence of a lien and during said period executions or other process to enforce collection of said judgments may issue.

Section 12. The summons must be issued by the clerk of the court, and accompanied by the complaint of the plaintiff or by an endorsement setting forth the cause of action, but a complaint shall be sufficient if it contains such information as is required by law with respect to endorsements on the summons of courts of justices of the peace. The summons must be executed by the constable, sheriff or other officer authorized to serve process by leaving a copy of the summons and complaint, or summons with the cause of action endorsed thereon with the defendant which fact he must return with the process. All garnishments shall be answerable at or before nine o'clock A.M. of the return day of the writ and the court may render a conditional judgment against any garnishee who after proper service of the writ fails to answer at or before such time. No more than three days service of any rule or notice to show cause why a conditional judgment should not be made final shall be necessary in any garnishment proceeding in this court. Service of any notice proper to be made by publication may be perfected by one insertion of the notice and after ten days from the date of publication of any such the party so notified and failing to appear shall be treated as in default. In all garnishment proceedings in said court the court may upon motion of any party in interest and reasonable notice to the party or parties adversely affected not less than three days, and whether the garnishee has answered or not hear and determine the right of exemption of the defendant in garnishment with respect to the monies or property garnished.

Section 13. The judge of the court shall make any and all necessary rules for the conduct of the court and the officers thereof, for the filing and trying of cases, for the distribution and service of the processes of the court and generally with respect to the duties of the various officers of the court in their relations to the court, the authority herein specifically granted not to be construed as limiting authority generally and usually exercised by judges in making and enforcing rules of court.

Section 14. Each calendar month shall constitute a term of said court, except that after ten days from the rendition of a judgment in any cause the said judgment shall be beyond the jurisdiction and out of the power of the court the same as if the term of the court ended on said tenth day after the rendition of said judgment, but the court shall have the power to set aside, vacate or modify its judgments upon motion made within ten days after the rendition of same, which said motion must be promptly determined. And the court may be open for business and render default or other judgments at any time after nine o'clock in the morning of each day and all processes of the court where no time is otherwise fixed shall be returnable at nine o'clock A.M. of the return day.

Section 15. In cases of emergency the judge of said court may appoint a suitable person to act as special constable without bond except as hereinafter provided; and the person so appointed must perform the same duties and is liable to the same pains and penalties and is entitled to the same fees as regular constables; but such special constable is not authorized to act in any case where the amount in controversy is over one hundred dollars, nor to levy or collect executions, attachments or writs of detinue, unless prior to levying or collection of executions, attachments or writs of detinue he executes a bond in the sum of twice the amount of the property to be levied on payable to defendant as required of special constables appointed by justices of the peace, and with securities to be approved by the clerk of the court.

Section 16. All cases in said court shall be tried by the judge of said court without intervention of a jury, the judge determining both the law and facts and any party shall have the right to appeal to the circuit court within ten days from entry of judgment and on appeal either party may demand a trial by jury under the same rules as are provided by law for demand of jury trials in cases of appeal from judgments of justices of the peace and the trial in said circuit court shall be de novo and according to the same procedure as apply to appeals from judgments of justices of the peace.

Section 17. Appeals from judgments of said court to the circuit court in cases of forcible entry and unlawful detainer shall be taken within the same time and in the same manner and upon the same conditions with respect to bonds and surety as are applicable to appeals in like cases from justices of the peace courts.

Section 18. Any party desiring to appeal shall give bond with sureties to be approved by the clerk conditioned to pay all costs which may be taxed against him in the circuit court. If the judgment appealed from is for the payment of money or for the recovery of personal property and the party appealing desires to have the judgment superseded, he shall give bond with securities to be approved by the clerk and payable to the party or parties in whose favor the judgment was rendered and in such penalty as the judge may prescribe conditioned to pay and satisfy such judgment and costs as may be awarded and taxed against him on the trial of the case of the circuit court. All such bonds shall be filed with and approved by the clerk within ten days from the rendition of the judgment from which appeal is taken. This section shall not be applicable to judgments in forcible entry and unlawful detainer cases.

Section 19. Certioraris from judgments of this court may be granted by judges of the circuit court and trials de novo had in the circuit court for the same causes, and upon the same conditions and according to the same procedure as apply to statutory certioraris from judgments of justices of the peace, and all certificates and notices with respect to such certioraris shall be issued by the clerk.

Section 20. It shall be the duty of the county commission or other like governing body of Calhoun County to provide a suitable place in the courthouse for the holding of said court and for the transaction of its business, and furnish all the books, stationery, papers and other office supplies as provided by law for the circuit court and that may be necessary for the operation and maintenance of said court.

Section 21. The ex-officio judge of this court shall not be entitled to vacation or sick leave in addition to that provided for the Calhoun County court judge.

Section 22. It shall be the duty of the clerk to issue an execution on all judgments rendered in said court after ten days from the entry thereof and place the same in the hands of the sheriff, constable, or other officer of the court, who shall return such execution within thirty days thereafter, said return to show that he has collected said judgment and paid the same or the amount collected, or is unable to find property of the person against whom said process issued out of which said execution can be satisfied in whole or in part.

Section 23. If it shall appear to the clerk that in any case where an execution has been returned unsatisfied as to the cost of said cause and in the opinion of the clerk said cost can be collected by an alias execution the clerk may issue such alias execution and may direct the sheriff or constable as to what property can be levied upon to satisfy said judgment.

Section 24. When in any case execution against the defendant is returned "No property found" execution may issue against the plaintiff, in the name of the clerk, for all costs created by him in obtaining his judgment or attempting to collect the same.

Section 25. Neither party to a suit in this court as a matter of right may file interrogatories to be propounded to the opposite party, but for good cause shown, the judge of this court may allow such interrogatories to be propounded, which case the judge shall fix the time in which they shall be answered and the said filing and answering of said interrogatories except as herein provided, shall be governed as far as applicable by practice and procedure of the circuit court, and the same costs shall be taxed and collected with respect to such interrogatories as is provided in the circuit court.

Section 26. The judge of this court shall have the same powers and authority with respect to taxation, retaxation and apportionment of costs as are conferred upon judges of the circuit court.

Section 27. Said ex-officio judge and said court have authority to grant writs of attachment and garnishment.

Section 28. All laws both local and general in conflict with this Act are hereby repealed.

Section 29. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ralph W. Callahan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 21-28, June 4-11, all in the year 1962.

RALPH W. CALLAHAN.

Sworn to and subscribed before me June 11, 1962.

L. JEAN WILKINSON,
Title Notary Public.

Also:

By Messrs. Copeland and Hanby:

H. 17. Relating to municipalities having populations of not less than 48,000 nor more than 60,000, according to the most recent federal decennial census; limiting their authority to impose privilege license taxes.

Also:

By Messrs. Hanby and Copeland:

H. 18. To regulate further the feeding of prisoners in jail in all counties having populations of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census; to provide for retroactive effect of the provisions of this Act, and to validate the payment to the sheriffs of such counties certain allowances which may have heretofore been made to them for the feeding of prisoners in county jails, and for preparing and serving such food.

Also:

By Messrs. Pierce, Bailey, Goodwyn and Goldthwaite:

H. 47. Relating to counties having populations of not less than 150,000 nor more than 300,000 inhabitants: To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

Also:

By Messrs. Pierce, Bailey, Goodwyn and Goldthwaite:

H. 48. Relating to cities having populations of not less than 100,000 nor more than 200,000 inhabitants: To provide for the payment of benefits to employees of any such city who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such city who are killed in the performance of their official duties.

Also:

By Messrs. Bailey, Pierce, Goodwyn and Goldthwaite:

H. 49. To repeal Act No. 627 of the 1961 Regular Session of the Legislature of Alabama proposing an amendment to the Constitution of Alabama relative to the levying of additional taxes for school purposes within Montgomery County.

Also:

By Mr. Cates:

H. 54. To authorize the appointment of additional deputies sheriff in counties having populations of not less than 32,000 nor more than 33,000 inhabitants; to provide for their compensation; to provide for retroactive effect of the provisions of this act; to validate the appointment of deputies sheriff which may have been heretofore made, the payment to them of compensation, and the acts of such appointees which may have been required in performance of their official duties.

Also:

By Messrs. Beville and Shumate:

H. 62. Relating to counties having populations of not less than 54,000 nor more than 56,000; authorizing an appropriation from county funds for certain purposes.

Also:

By Mr. Beville:

H. 63. Relating to the Fourteenth Judicial Circuit; fixing the salary of the Official Court Reporter appointed by and serving under the Presiding Judge of such circuit and providing for the payment thereof.

Also:

By Messrs. Beville and Shumate:

H. 64. To fix the time of holding meetings of the court of county commissioners, board of revenue, or other like governing body in all counties having a population of not less than 51,000 nor more than 56,000 inhabitants, and to repeal Act 139, H. 337, approved August 1, 1961 (Acts of Alabama 1961, vol. I, p. 177) and all conflicting laws.

Also:

By Mr. Britton:

H. 71. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than 15,300 nor more than 15,400 according to the 1960 or any subsequent federal decennial census, and giving the act retroactive effect.

Also:

By Mr. Britton:

H. 72. Relating to counties having populations of not less than 15,300 nor more than 15,400 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law; giving the act retroactive effect.

Also:

By Mr. Britton:

H. 73. To regulate the compensation of members of the county board of education in counties having populations of not less than 15,300 nor more than 15,400 inhabitants according to the 1960 federal decennial census; giving the Act retroactive effect.

Also:

By Mr. Britton:

H. 74. To provide for the employment of a deputy clerk in the office of the clerk of the circuit court in counties of not less than 15,300 nor more than 15,400 population according to the last or any subsequent federal decennial census, and giving the Act retroactive effect.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 4, 6, 7, 8, 17, 18, 47, 48, 49, 54, 62, 64, 71, 72, 73 and 74—to the Committee on Local Legislation

H. B. 63—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Perry, Sessions, Morrow, Locke, Rast, Edwards, and Hawkins:

H. J. R. 12. WHEREAS, the citizens of the great State of Alabama heretofore have not been privileged to enjoy cinerama within the state; and,

WHEREAS, cinerama is recognized to be the biggest new form of entertainment introduced in years; and,

WHEREAS, citizens of this great state have expressed their desire for an installation of this entertainment within our state and to afford them the opportunity of an enjoyment shared by most states of the union in the viewing of cinerama; and,

WHEREAS, one such exclusive installation of cinerama, one of thirty in the nation, now is being created for the enjoyment of the citizens of this state, the same being centrally located at the Ritz Theatre in Birmingham, Alabama, and there being no other such installation within the state or planned for the state;

THEREFORE, BE IT RESOLVED that this body, representing the citizens of Alabama, does hereby recognize the state wide significance of this event and does hereby express a welcome to cinerama to the State of Alabama and declare the same to be an addition to the many fine entertainment events enjoyed by thousands of our citizens; further, be it resolved that we hope cinerama may have long life and success in serving Alabama citizens and providing them with full enjoyment of this new and fascinating entertainment; be it further resolved that greetings and best wishes of this body be expressed to the management of the Ritz Theatre of Birmingham, Alabama for their undertaking and that the great seal of the State of Alabama be affixed to a copy of this document and forwarded to the management of Wilby-Kincey Theatres, Birmingham, Alabama.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dumas, the Rules were suspended and the Resolution H. J. R. 12, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By: Messrs. Bailey, Pierce, Goldthwaite and Goodwyn:

H. J. R. 11. WHEREAS, the tragic crash of an airplane in Paris, France on June 3rd, 1962 resulted in the loss of life to many residents of the State of Georgia, and particularly of the City of Atlanta, and

WHEREAS, these residents were outstanding in their leadership and contribution to the cultural and educational fields of their community, and

WHEREAS, their untimely deaths result in an irreparable loss to their city and state, and

WHEREAS, the State of Alabama feels keenly the profound sorrow suffered by her sister State of Georgia, and

WHEREAS, the State of Alabama mourns the loss of three of its own beloved and esteemed native Alabamians, Mrs. Frank McPherson and her daughters, Mrs. William Inge Hill and Mrs. Frank Virgin; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA:

That the State of Alabama expresses its deepest and heartfelt sympathy to the State of Georgia, to the City of Atlanta, to the survivors of all those who lost their lives, and especially to the families of Mrs. McPherson, Mrs. Hill, and Mrs. Virgin.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to the Legislature of the State of Georgia, to the Mayor of Atlanta, and to the families of Mrs. McPherson, Mrs. Hill, and Mrs. Virgin.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 11 set out in the foregoing Message from the House, was read, and on motion of Mr. Gaither, further consideration was postponed until the next Legislative Day.

BILLS ON THIRD READING

The Bill:

S. 5. Relating to counties having populations of not less than 96,000 nor more than 106,000, fixing the compensation of the judges of probate of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Godfrey	Leonard
Andrews	Dumas	Golson	Moses
Barnett	Eddins	Haltom	Samford
Berryman	Farmer	Hines	Shelton
Caffey	Gaither	Jones	Turner
Clark	Givhan	Kendall	Wyatt
Cooper			

—24

Nays:

—0

The Bill:

S. 15. Relating to counties having populations of not less than 15,300 nor more than 15,400 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of any such

county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law; giving the act retroactive effect.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Shelton	
Berryman	Gaither	Kendall	Turner	
Caffey	Givhan	Leonard	Webb	
Clark	Godfrey	Moses	Wilson	
Cooper	Golson	Porter	Word	
Crawford	Graham	Robison	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

S. 16. To regulate the compensation of members of the county board of education in counties having populations of not less than 15,300 nor more than 15,400 inhabitants according to the 1960 federal decennial census; giving the Act retroactive effect.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Porter	
Andrews	Eddins	Hines	Robison	
Barnett	Farmer	Jones	Samford	
Berryman	Gaither	Kendall	Shelton	
Caffey	Givhan	Leonard	Turner	
Clark	Graham	Moses	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

S. 17. To provide for the employment of a deputy clerk in the office of the clerk of the circuit court in counties of not less than 15,300 nor more than 15,400 population according to the last or any subsequent federal decennial census, and giving the Act retroactive effect.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Barnett	Cooper	deGraffenried
Andrews	Clark	Crawford	Dumas

Eddins	Haltom	Leonard	Shelton	
Farmer	Hines	Porter	Wilson	
Gaither	Jones	Robison	Word	
Givhan	Kendall	Samford	Wyatt	
Godfrey				—24

Nays: —0

The Bill:

S. 18. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than 15,300 nor more than 15,400 according to the 1960 or any subsequent federal decennial census, and giving the act retroactive effect.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Shelton	
Berryman	Gaither	Leonard	Turner	
Caffey	Givhan	Moses	Webb	
Clark	Godfrey	Porter	Wilson	
Cooper	Golson	Robison	Word	
Crawford	Graham	Samford	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

S. 21. Relating to cities having populations of not less than 100,000 nor more than 200,000 inhabitants: To provide for the payment of benefits to employees of any such city who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such city who are killed in the performance of their official duties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Porter	
Andrews	Eddins	Hines	Robison	
Barnett	Farmer	Jones	Samford	
Berryman	Givhan	Kendall	Shelton	
Caffey	Godfrey	Leonard	Turner	
Crawford	Graham	Moses	Webb	
deGraffenried				—24

Nays: —0

The Bill:

S. 22. To repeal Act No. 627 of the 1961 Regular Session of the Legislature of Alabama proposing an amendment to the Constitution of

Alabama relative to the levying of additional taxes for school purposes within Montgomery County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Samford	
Andrews	Gaither	Hines	Shelton	
Barnett	Givhan	Kendall	Webb	
Berryman	Godfrey	Moses	Wilson	
Clark	Golson	Porter	Word	
Cooper	Graham	Robison	Wyatt	
Crawford				—24

Nays:

—0

The Bill:

S. 23. Relating to counties having populations of not less than 150,000 nor more than 300,000 inhabitants: To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Robison	
Andrews	Farmer	Hines	Samford	
Barnett	Gaither	Jones	Shelton	
Berryman	Givhan	Kendall	Turner	
Caffey	Godfrey	Leonard	Webb	
deGraffenried	Golson	Moses	Wilson	
Dumas				—24

Nays:

—0

The Bill:

S. 25. To amend Sections 2, 5, and 7 of Act No. 317 adopted at the 1943 Regular Session of the Legislature of Alabama so as to make changes in the provisions thereof respecting the details and sales of securities by Wilcox County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Shelton	
Berryman	Gaither	Kendall	Turner	
Caffey	Givhan	Leonard	Webb	
Clark	Godfrey	Moses	Wilson	
Cooper	Golson	Porter	Word	
Crawford	Graham	Robison	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

S. 24. To amend Act No. 298, H. 823, Regular Session 1955, an act authorizing the governing body of any county having a population of not less than 125,000 nor more than 225,000, and governing body of any municipality within such a county, to create a joint public charity hospital board (Acts 1955, Vol. 1, p. 694).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison	
Barnett	Eddins	Jones	Turner	
Berryman	Gaither	Kendall	Webb	
Caffey	Givhan	Leonard	Wilson	
Clark	Godfrey	Moses	Word	
Cooper	Golson	Porter	Wyatt	
Crawford				—24

Nays: —0

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Third Legislative Day was approved by the Senate.

ADJOURNMENT

At 2:44 P.M. on motion of Mr. Gaither and in accordance with Joint Resolution heretofore adopted and pending further consideration of S. B. 29, the Senate adjourned until Wednesday, June 20, 1962, at 11:00 o'clock A.M.

FOURTH LEGISLATIVE DAY

WEDNESDAY, JUNE 20, 1962

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by Honorable Norman R. Crawford, Senator from the Eighteenth Senatorial District.

ROLL CALL

Present:

Messrs.:	deGraffenried	Graham	Robison
Andrews	Dumas	Haltom	Rutledge
Barnett	Eddins	Hines	Shelton
Berryman	Farmer	Jones	Turner
Caffey	Gaither	Kendall	Webb
Clark	Givhan	Leonard	Wilson
Cooper	Godfrey	Moses	Word
Crawford	Golson	Porter	Wyatt

—31

JOURNAL

On motion of Mr. Wilson, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

APPOINTMENT OF SPECIAL COMMITTEE

In accordance with the provisions of House Joint Resolution 9, the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Dumas and Berryman.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. deGraffenried:

S. 46. To reapportion the Legislature in accordance with Article 9, Sections 198-200, Constitution of Alabama 1901.

Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Jones, Chairman of the Standing Committee on Constitution, Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation and it was read a second time and placed on the calendar, to-wit:

By Mr. Word (without recommendation):

S. 1. Proposing an amendment to the Constitution of Alabama fixing the number of representatives in the Legislature and apportioning the membership among the several counties, fixing the number of senators and dividing the State into senatorial districts, setting the required frequency of subsequent reapportionment, placing the duty and responsibility for subsequent reapportionment of the legislature upon the legislature itself from and after the first Monday in May, 1971 and prescribing apportionment basis and procedure to be thereafter followed.

The above Bill was read a second time at length as required by the Constitution.

Mr. Jones, Chairman of the Standing Committee on Constitution, Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Turner, Webb, Porter, Farmer, Crawford, Jones, Graham, Barnett, Moses, Hines, Samford, Golson, Rutledge, Andrews, Cooper, Wyatt, Clark, Wilson, Kendall, Berryman and Givhan:

S. 44. Proposing to amend Constitution of Alabama 1901 in relation to the distribution of certain state revenues and the right of exemptions or refunds.

By Messrs. Turner, Webb, Graham, Barnett and Kendall:

S. 45. Proposing an amendment to the Constitution of Alabama relative to the distribution of certain state funds among the several counties.

The above Bills were read a second time at length as required by the Constitution.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Smith (Russell) et al (with amendment):

H. 5. To make an additional appropriation for payment of expenses of the Legislature.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Eddins (by request):

S. 20. Relating to taxation; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the fol-

lowing bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Wyatt (with substitute):

S. 42. Relating to the office of solicitor of the Thirtieth Judicial Circuit; creating a solicitor's fund for the use of the circuit solicitor.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dumas:

S. 9. To amend Sections 1, 2, and 3 of Act No. 530, Acts of Alabama Regular Session 1949, Page 835, "Relating to public health; to regulate through licensure hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act", so as to include domiciliary institutions, homes for the aged, intermediate institutions, and related institutions.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dumas (with substitute):

S. 10. To appropriate to the State Department of Public Health for the fiscal year ending September 30th, 1963, the additional sum of seven thousand five hundred dollars (\$7,500) for administering expanded licensure responsibilities pursuant to Senate Bill _____.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Grouby (with notice and proof):

H. 4. To provide further for election of the chairman and members of the board of education of Autauga County.

By Messrs. Merrill and Albea (with notice and proof):

H. 6. To make an appropriation from the county treasury of Calhoun County for the relief of M. S. Nelson.

By Messrs. Albea and Merrill (with notice and proof):

H. 7. To authorize the City of Anniston, Alabama, to sell to Alabama Society for Crippled Children & Adults, a corporation, for its reasonable market value the following described real property to-wit:

Beginning at the northeast corner of the intersection of Walnut Avenue with Thirteenth Street in the City of Anniston, Alabama; thence north along the east boundary line of Walnut Avenue a distance of 100 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street

a distance of 50 feet to a point; thence south and parallel with the east boundary line of Walnut Avenue a distance of 40 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street, to a point on the west boundary line of Moore Avenue; thence south along the west boundary line of Moore Avenue a distance of 60 feet to its point of intersection with the north boundary line of Thirteenth Street; thence west along the north boundary line of Thirteenth Street a distance of 150 feet to the point of beginning, said property being situated in the City of Aniston, Calhoun County, Alabama.

By Messrs. Albea and Merrill (with notice and proof):

H. 8. To establish an inferior court to be called the Intermediate Civil Court of Calhoun County, Alabama; to provide for the judge, clerks and other officers, their selection and duties; to provide for the jurisdiction, practice and procedure of said court; to provide for the transfer of causes from said court to the circuit court; and to provide for appeals from said court and regulate the manner of taking same.

By Messrs. Copeland and Hanby:

H. 17. Relating to municipalities having populations of not less than 48,000 nor more than 60,000, according to the most recent federal decennial census; limiting their authority to impose privilege license taxes.

By Messrs. Hanby and Copeland:

H. 18. To regulate further the feeding of prisoners in jail in all counties having populations of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census; to provide for retroactive effect of the provisions of this Act, and to validate the payment to the sheriffs of such counties certain allowances which may have heretofore been made to them for the feeding of prisoners in county jails, and for preparing and serving such food.

By Mr. Pierce et al:

H. 47. Relating to counties having populations of not less than 150,000 nor more than 300,000 inhabitants: To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

By Mr. Pierce et al:

H. 48. Relating to cities having populations of not less than 100,000 nor more than 200,000 inhabitants: To provide for the payment of benefits to employees of any such city who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such city who are killed in the performance of their official duties.

By Mr. Bailey et al:

H. 49. To repeal Act No. 627 of the 1961 Regular Session of the Legislature of Alabama proposing an amendment to the Constitution of Alabama relative to the levying of additional taxes for school purposes within Montgomery County.

By Mr. Cates:

H. 54. To authorize the appointment of additional deputies sheriff in counties having populations of not less than 32,000 nor more than 33,000 inhabitants; to provide for their compensation; to provide for retroactive effect of the provisions of this act; to validate the appointment of deputies sheriff which may have been heretofore made, the payment to them of compensation, and the acts of such appointees which may have been required in performance of their official duties.

By Mr. Britton:

H. 71. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than 15,300 nor more than 15,400 according to the 1960 or any subsequent federal decennial census, and giving the act retroactive effect.

By Mr. Britton:

H. 72. Relating to counties having populations of not less than 15,300 nor more than 15,400 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law; giving the act retroactive effect.

By Mr. Britton:

H. 73. To regulate the compensation of members of the county board of education in counties having populations of not less than 15,300 nor more than 15,400 inhabitants according to the 1960 federal decennial census; giving the Act retroactive effect.

By Mr. Britton:

H. 74. To provide for the employment of a deputy clerk in the office of the clerk of the circuit court in counties of not less than 15,300 nor more than 15,400 population according to the last or any subsequent federal decennial census, and giving the Act retroactive effect.

By Mr. Robison:

S. 36. Relating to counties having populations of not less than 140,000 nor more than 250,000; to provide the procedure for initiating complaints under Act No. 295, Special Session, 1961, approved September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940.

By Mr. deGraffenried:

S. 37. To fix the Salary of Deputy Circuit Solicitor No. 2 of the Sixth Judicial Circuit of Alabama.

By Mr. deGraffenried:

S. 38. Relating to inferior courts in counties having a population of not less than one hundred thousand nor more than one hundred fifteen thousand inhabitants; increasing the jurisdiction of such inferior courts of such counties from \$300 to \$500 in civil cases and providing additional compensation for the judge of such courts beginning with his next term of office in January, 1963.

By Mr. Haltom:

S. 40. To define, regulate, and license barbers, barber colleges, and other like businesses in any and all counties having a population of not less than 61,000 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census, to create a barbers' commission for each county to which the Act applies; to fix the powers and duties of the commission; to transfer to the commission all rights, powers, duties and authority, together with all funds, property, books, papers, records and effects belonging to, and all obligations incurred by, each barbers' commission heretofore created or existing in each county to which this Act applies; and to prescribe penalties for violating the provisions of this Act.

By Mr. Wyatt:

S. 41. To amend Act No. 153, H. 449, approved June 30, 1953 (Acts of Alabama 1953, vol. 1, p. 195), as amended by Act No. 275, H. 451, approved August 7, 1961, and fixing the minimum salary of firemen and policemen in certain cities classified on a population basis.

By Mr. Wyatt:

S. 43. Relating to counties having populations of not less than 24,800 nor more than 25,400; providing clerical assistance for certain officers of such counties.

Mr. Haltom, Chairman of the Standing Committee on Fish and Game, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Caffey:

S. 32. To designate certain areas of Mobile Bay for the taking of seed oysters.

FURTHER CONSIDERATION OF H. J. R. 11

The Senate proceeded to further consideration of the Resolution, H. J. R. 11.

H. J. R. 11. Relative to the death of eight Alabamians in the tragic airplane crash in Paris, June 3, 1962.

On motion of Mr. Caffey, the Rules were suspended.

Mr. Caffey then offered the following substitute for the Resolution, to-wit:

Substitute for House Joint Resolution No. 11

WHEREAS, the tragic crash of an airplane in Paris, France on June 3rd, 1962, resulted in the loss of life to many residents of the State of Georgia, and particularly of the City of Atlanta, and

WHEREAS, these residents were outstanding in their leadership and contribution to the cultural and educational fields of their community, and

WHEREAS, their untimely deaths result in an irreparable loss to their city and state, and

WHEREAS, the State of Alabama feels keenly the profound sorrow suffered by her sister State of Georgia, and

WHEREAS, the State of Alabama mourns the loss of eight of its own beloved and esteemed Alabamians, Mrs. Frank McPherson and her two daughters, Mrs. William Inge Hill and Mrs. Frank Virgin, Mrs. William King Self, Mr. and Mrs. Morgan S. Cantey, Mrs. Roy Minier and Mrs. Lloyd Barnett; now therefore,

Be It Resolved by the Legislature of Alabama:

That the State of Alabama expresses its deepest and heartfelt sympathy to the State of Georgia, to the City of Atlanta, to the survivors of all those who lost their lives, and especially to the families of Mrs. McPherson, Mrs. Hill, Mrs. Virgin, Mrs. Self, Mr. and Mrs. Cantey, Mrs. Minier and Mrs. Barnett.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to the Legislature of the State of Georgia, to the Mayor of Atlanta, and to the families of Mrs. McPherson, Mrs. Hill, Mrs. Virgin, Mrs. Self, Mr. and Mrs. Cantey, Mrs. Minier and Mrs. Barnett.

Which was adopted.

And the Resolution, as thus amended by the substitute, was then concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

Pursuant to H. J. R. 9, the Speaker of the House has appointed as a Committee on the part of the House Messrs. Callahan, Sullivan and Rast.

OAKLEY MELTON, JR.,
Clerk.

RESOLUTIONS

Mr. deGraffenried offered the following Senate Resolution, to-wit:

S. R. 2. RESOLVED BY THE SENATE OF ALABAMA that the Clerk of the Senate is hereby directed to transmit to the Chief Justice and the Associate Justices of the Supreme Court of Alabama the following communication:

Pursuant to the provisions of Title 12, Section 34, of the Code of Alabama, 1940, the Honorable Chief Justice and Associate Justices of the Supreme Court of Alabama are hereby respectfully requested to answer the following important constitutional question:

Does Senate Bill No. 46 meet all the constitutional requirements of the Constitution of 1901 on the subject of the apportionment of the Legis-

lature, and in your opinion, is Senate Bill No. 46 constitutional and will it satisfy in all respects the provisions of the Constitution of 1901?

On motion of Mr. deGraffenried, the Resolution was read and referred to the Standing Committee on Rules.

Mr. deGraffenried offered the following Senate Joint Resolution, to-wit:

S. J. R. 3. WHEREAS, the United States District Court for the Middle District of Alabama in that certain cause, wherein M. O. Sims, et al., Plaintiffs, and Bettye Frink, Secretary of State of Alabama, et al., Defendants, being Civil Action No. 1744-N, rendered and ordered judgment or decree, finding as follows:

“(1) Under the opinion of the Supreme Court of the United States in *Baker v. Carr*, No. 6, October Term, 1961, decided March 26, 1962, it seems clear to us that: (a) this Court has jurisdiction of the present action; (b) the complaint as amended states a justiciable cause of action; (c) the plaintiffs have standing to challenge the Alabama apportionment statutes.”, and,

WHEREAS, the said Court further held in its decree as follows:

“(4) In the event that the Legislature of Alabama complies with its duty before the next hearing, and this Court can so find, then no further action will be needed in this case and the case can be dismissed. If the Legislature does not act, or if its action does not meet constitutional standards, then we will be under a clear duty to take some action in time to take effect before the general election of November 1962. Such action, however, should be held to the minimum that is necessary for the citizens of Alabama to be accorded their constitutional rights.”, and,

WHEREAS, the Legislature of Alabama being cognizant of the decisions of said judgment and decree and in an effort to comply with those provisions of the Constitution of Alabama relating to the apportionment of the Legislature, has duly enacted into Law Act No. _____ of the First Special Session of 1962, which in the judgment of the Legislature fully complies with all constitutional provisions, and,

WHEREAS, the effective date of said Act apportioning the Legislature of Alabama provides for the election of Senators and Representatives who will take office on or after the day of the General Election in 1966, and,

WHEREAS, the Legislature deems that it has complied with its duty and that no additional action on the part of the Federal District Court is necessary, proper or required under the circumstances,

NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Attorney General of Alabama, on behalf of the proper parties to said action, file the proper proceedings in said Court requesting that the above described action be dismissed as the justiciable issue raised in the pleadings by reason of the passage of the stated Act has become moot.

On motion of Mr. deGraffenried, the Resolution was read and referred to the Standing Committee on Rules.

UNFINISHED BUSINESS

The Senate proceeded to consideration of the Unfinished Business for today, which was the bill:

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

The question was on the Committee substitute, as amended, for the bill, S. B. 29, which said substitute, as amended, is set out at length in the Journal of the Senate for the Third Legislative Day.

On motion of Mr. Turner, said substitute, as amended, was laid on the table.

Mr. Turner then offered the following substitute for the bill, to-wit:

SUBSTITUTE FOR S. B. 29

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama 1901 is proposed and shall become valid as a part thereof when approved and proclaimed as prescribed by law:

PROPOSED AMENDMENT

1. The legislature of Alabama shall consist of a senator for each county and 106 members of the house of representatives, to be apportioned among the several counties as herein prescribed; provided, that in addition to the above number of representatives each new county hereafter created shall be entitled to at least one representative.

2. At the general election in 1966, and every four years thereafter, a senator shall be elected by the qualified electors of each county in the state.

3. At the general election in 1966, and every four years thereafter, until the house of representatives is reapportioned as herein provided, the qualified electors of each county in the state shall elect such number of representatives as may be apportioned to the county as follows:

The county of Jefferson shall have and elect seventeen representatives; the county of Mobile shall have and elect eight representatives; the county of Montgomery shall have and elect four representatives; the counties of Calhoun, Etowah, Madison and Tuscaloosa shall each have and elect three representatives; the counties of Dallas, Lauderdale, Morgan, Talladega and Walker shall each have and elect two representatives; and

the remaining counties of the state shall each have and elect one representative.

4. On the first day, or within one week thereafter, of the regular session of the legislature in 1971, and every fifth regular session thereafter, the clerk of the house of representatives shall transmit to the secretary of state a statement showing the whole number of persons in each county under the most recent decennial census of the United States, and the number of representatives to which each county will be entitled under an apportionment of the then existing number of representatives by the method known as the method of equal proportions, no county to receive less than one representative.

5. In Section 284 of this Constitution as amended, strike out the last sentence thereof and insert the following sentence:

Representation in the house of representatives of the legislature shall be based upon population, and such basis of representation shall not be changed by constitutional amendments.

6. Article IX (sections 197-203) of this Constitution is hereby expressly repealed.

7. The per diem compensation of senators and representatives shall be fixed by the legislature at an amount not exceeding Ten dollars a day, and the daily expense allowance of members shall not exceed Ten dollars. Until the legislature fixes the compensation and allowance of members, each shall receive Twenty dollars a day for pay and expenses.

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county in the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Mr. Dumas offered the following amendment to the substitute for the Bill, S. B. 29, to-wit:

Amendment to substitute for S. B. 29

Senate Bill No. 29 is hereby amended in the following respects:

Strike out in Section 1 of the proposed constitutional amendment the words "for each county" and substitute in lieu thereof the words "for each one hundred thousand population in each county and one senator for each group of one hundred thousand population in each group of contiguous counties, which group shall be fixed by the legislature, and if it fails to do so at the next session of the legislature and each reapportionment session hereinafter provided for, then fixed by the Governor, the Lt. Governor and the Attorney General,"

Strike out Section 5 of the proposed constitutional amendment.

On motion of Mr. Gaither, said amendment was laid on the table.

The question recurred on the substitute offered by Mr. Turner, for the Bill, S. B. 29, and said substitute was then adopted by the Senate.

Yeas 31; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison
Andrews	Dumas	Haltom	Rutledge
Barnett	Eddins	Hines	Shelton
Berryman	Farmer	Jones	Turner
Caffey	Gaither	Kendall	Webb
Clark	Givhan	Leonard	Wilson
Cooper	Godfrey	Moses	Word
Crawford	Golson	Porter	Wyatt

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Nays:

—0

Mr. Haltom then offered the following substitute for the Bill, S. B. 29 as amended:

A BILL TO BE ENTITLED AN ACT

Proposing an amendment to the Constitution of Alabama fixing the number of representatives in the Legislature and apportioning the membership among the several counties, fixing the number of senators and dividing the State into senatorial districts, setting the required frequency of subsequent reapportionment, placing the duty and responsibility for subsequent reapportionment of the legislature upon the legislature itself from and after the first Monday in May 1971 and prescribing apportionment basis and procedure to be thereafter followed.

Be It Enacted by the Legislature of Alabama:

SECTION 1. The following amendment to the Constitution of Alabama is proposed, and shall become valid as a part thereof when approved by the qualified electors as prescribed by law.

PROPOSED AMENDMENT

1. Sections 50, 198 and the last sentence of Section 284, as amended, of the Constitution of Alabama are hereby expressly repealed.

2. That Section 197 of the Constitution of Alabama be amended to read as follows:

“The Legislature shall consist of not more than forty senators, and not more than one hundred twenty members of the House of Representatives, to be apportioned among the several districts and counties, as prescribed in this Constitution; provided that in addition to the above number of representatives, each new county hereafter created shall be entitled to

one representative, and provided further that each county shall at all times be entitled to have at least one representative, and provided further that the whole number of senators shall not be less than one-fourth or more than one-third of the whole number of representatives."

3. That Section 199 of the Constitution of Alabama be amended to read as follows:

"From and after the first Monday in May of 1971, the members of the House of Representatives shall be thereafter apportioned by the legislature on the basis and in the manner and at the respective times hereinafter prescribed. The members of the House of Representatives shall then be from time to time apportioned by the legislature among the several counties of the state, according to the number of inhabitants in them, respectively, as ascertained by the latest decennial census of the United States taken, completed and promulgated as to all the counties of the State of Alabama. It shall then be the duty of the legislature at its first session from and after the first Monday in May of 1971 and at its first session after each decennial census of the United States is thereafter taken, completed and promulgated as to all of the counties of the State of Alabama, to fix by law the number of representatives and to make the apportionment of the members of the House of Representatives on the basis and in the manner hereinabove set out, which apportionment, when made, shall not be subject to alteration until the next decennial census of the United States shall have been so taken, completed and promulgated."

4. That Section 200 of the Constitution of Alabama be amended to read as follows:

"From and after the first Monday in May, 1971 the number of senators and senatorial districts shall be thereafter fixed and apportioned by the legislature on the basis and in the manner and at the respective times hereinafter prescribed. It shall then be the duty of the legislature at its first session from and after the first Monday in May of 1971, and at its first session after each decennial census of the United States has been thereafter taken, completed and promulgated as to all the counties of the State of Alabama, to fix by law the number of senators, and to divide the state into as many senatorial districts as there are senators, which districts shall be as nearly equal to each other in the number of the inhabitants as may be, and each district shall be entitled to one senator and no more; and such districts, when formed, shall not be changed until the next apportioning session of the legislature after the next decennial census of the United States shall have been so taken, completed and promulgated; provided, that counties created after the next preceding apportioning session of the legislature may be attached to senatorial districts. No county shall be divided between two districts, and no district shall be made up of two or more counties not contiguous to each other."

5. That Section 202 of the Constitution of Alabama be amended to read as follows:

"Until the Legislature shall make an apportionment of representatives among the several counties as herein provided, the counties of Autauga, Barbour, Bibb, Blount, Bullock, Butler, Cherokee, Chilton, Choctaw, Clarke, Clay, Cleburne, Conecuh, Coosa, Crenshaw, Fayette, Franklin, Geneva, Greene, Hale, Henry, Lamar, Lawrence, Lowndes, Macon, Marengo, Marion, Monroe, Perry, Pickens, Pike, Randolph, St. Clair, Sumter, Washington, Wilcox, and Winston, shall each have and elect one representative; the counties of Baldwin, Chambers, Coffee, Colbert, Covington, Cullman,

Dale, Dallas, DeKalb, Elmore, Escambia, Houston, Jackson, Lauderdale, Lee, Limestone, Marshall, Morgan, Russell, Shelby, Talladega, Tallapoosa, and Walker, shall each have and elect two representatives; the counties of Calhoun and Etowah shall each have and elect three representatives; the counties of Tuscaloosa and Madison shall each have and elect four representatives; the county of Montgomery shall have and elect five representatives; the county of Mobile shall have and elect six representatives; and the county of Jefferson shall have and elect twelve representatives."

6. That Section 203 of the Constitution of Alabama be amended to read as follows:

"Until the Legislature shall divide the State into senatorial districts as provided in this Constitution, the senatorial districts shall be as follows, each district to have and elect one senator: First district, Lauderdale; second district, Morgan; third district, Blount and Cullman; fourth district, Madison; fifth district, Jackson and Marshall; sixth district, Etowah; seventh district, Calhoun; eighth district, Talladega; ninth district, Chambers and Randolph; tenth district, Tallapoosa and Coosa; eleventh district, Tuscaloosa; twelfth district, Fayette and Lamar; thirteenth district, Jefferson; fourteenth district, Lawrence and Limestone; fifteenth district, Autauga and Elmore; sixteenth district, Lowndes and Wilcox; seventeenth district, Butler and Conecuh; eighteenth district, Bibb and Chilton; nineteenth district, Choctaw and Washington; twentieth district, Marengo and Sumter; twenty-first district, Baldwin and Clarke; twenty-second district, Escambia and Monroe; twenty-third district, Dale and Henry; twenty-fourth district, Barbour and Pike; twenty-fifth district, Coffee and Crenshaw; twenty-sixth district, Bullock and Macon; twenty-seventh district, Lee and Russell; twenty-eighth district, Montgomery; twenty-ninth district, Cherokee and DeKalb; thirtieth district, Dallas; thirty-first district, Colbert and Franklin; thirty-second district, Hale and Perry; thirty-third district, Mobile; thirty-fourth district, Clay and Cleburne; thirty-fifth district, Houston; thirty-sixth district, Marion and Winston; thirty-seventh district, Shelby and St. Clair; thirty-eighth district, Geneva and Covington; thirty-ninth district, Greene and Pickens; fortieth district, Walker.

"In districts consisting of more than one county the senator shall not be elected for more than one term consecutively from any one county in the district, but shall reside in and be elected alternately and in turn from each of the counties within such district. The first senator to be elected in such districts shall reside in the county having the largest population, except where that county had the last preceding senator."

7. The members of the Legislature provided for herein shall be elected at the general election to be held in November, 1966, and every four years thereafter, until the Legislature is reapportioned as prescribed by this Constitution.

SECTION 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from the final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

SECTION 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State.

In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

RECESS

At 12:37 P. M., on motion of Mr. Hines, pending further consideration of S. B. 29, the Senate took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION
FOURTH LEGISLATIVE DAY
WEDNESDAY, JUNE 20, 1962

The Senate re-assembled at 2:00 o'clock P. M., Lieutenant Governor Boutwell presiding.

ROLL CALL

Present:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Leonard	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Word
Crawford	Graham	Robison	Wyatt
deGraffenried			

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INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Webb, Shelton, Turner, Kendall, Word, Barnett, Eddins, Farmer, Graham, Andrews, Clark, Berryman and Wyatt:

S. 47. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Bevill and Shumate:

H. 62. Relating to counties having populations of not less than 54,000 nor more than 56,000; authorizing an appropriation from county funds for certain purposes.

By Messrs. Bevill and Shumate:

H. 64. To fix the time of holding meetings of the court of county commissioners, board of revenue, or other like governing body in all counties having a population of not less than 51,000 nor more than 56,000 inhabitants, and to repeal Act 139, H. 337, approved August 1, 1961 (Acts of Alabama 1961, vol. I, p. 177) and all conflicting laws.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Rogers (Mobile), Engel and Murphy:

H. 42. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing special assistants for sheriffs of such counties.

Also:

By Messrs. Engel, Rogers (Mobile) and Murphy:

H. 44. To apply in all counties of the State having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census; providing for the appointment of bailiffs for the Circuit Courts in such counties, prescribing their duties, and regulating their compensation.

Also:

By Mr. Engel:

H. 46. To amend Section 19 of Act No. 678, H. 1364, approved September 8, 1961, General Acts of Alabama 1961, Page 952, entitled "An Act regulating the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students and apprentices; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof in all counties having a population of not less than 300,000 nor more than 500,000 inhabitants according to the last or any subsequent federal decennial census."

Also:

By Messrs. Rogers (Mobile) and Murphy:

H. 67. Relating to cities having a population of not less than 200,000 nor more than 300,000, according to the last or any subsequent federal

decennial census; providing for the appointment of an administrative assistant by the members of the city commission, council, or like governing body of any such city.

Also:

By Mr. Bishop:

H. 76. To permit any bank or branch bank doing business in Colbert County to establish in the City of Muscle Shoals, Alabama, one branch bank, branch agency, additional office or branch place of business in addition to all other branches, agencies, offices or places of business authorized by law, subject to the approval of the State Superintendent of Banks.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

Notice is hereby given that a bill, substantially as follows, will be introduced at the next session of the Legislature of Alabama and application will be made for its passage:

A BILL TO BE ENTITLED AN ACT

To permit any bank or branch bank doing business in Colbert County to establish in the City of Muscle Shoals, Alabama, one branch bank, branch agency, additional office or branch place of business in addition to all other branches, agencies, offices or places of business authorized by law, subject to the approval of the State Superintendent of Banks.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank or branch bank doing business in Colbert County may establish, maintain and operate in or at the City of Muscle Shoals in said county one branch bank, branch agency, additional office, or branch place of business in addition to all other branches, agencies, additional offices or branch places of business authorized by law; provided that such bank or branch bank, before the establishment of the additional branch, agency, office, or place of business authorized by this Act, shall first secure the written consent thereto of the Superintendent of Banks of the State of Alabama.

Section 2. All laws or parts of laws in conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
COLBERT COUNTY

I, L. H. Baker, General Manager of The Standard & Times, a weekly newspaper published in Sheffield, Colbert County, Alabama, and with a

general circulation in Colbert County, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of: Legal—A Bill to be entitled an Act—To permit any bank or Branch bank doing business in Colbert County to establish in the City of Muscles Shoals, Alabama one branch bank, as published in The Standard & Times on the days and dates, as follows: May 18, 25; June 1, 8, 1962.

Sheffield, Ala., June 8, 1962

L. H. BAKER,
General Manager of The Standard & Times.

Sworn to before me this 8th day of June, 1962.

JAMES A. ROBERTS,
Notary Public State-at-Large.
My Commission Expires Oct. 9, 1962.

Also:

By Mr. Guthrie:

H. 77. To provide clerical assistance for the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000.

Also:

By Mr. Guthrie:

H. 78. Relating to counties having populations of not less than 42,000 nor more than 46,000; providing for increases in pay of deputy sheriffs of such counties.

Also:

By Mr. Guthrie:

H. 79. To authorize and provide for the payment out of the county treasury of the county composing such judicial circuit of a monthly allowance for expenses incurred in the conduct and maintenance of his office and in the proper and efficient performance and discharge of his duties to each circuit judge in every judicial circuit composed of one county having a population of not less than 42,000 nor more than 46,000 inhabitants, according to the last, or any subsequent, federal decennial census.

Also:

By Mr. Adams:

H. 84. To permit any bank having its principal place of business in Houston County to establish, maintain, and operate, within the corporate limits or police jurisdiction of any incorporated municipality in which it does business, one or more branches or additional offices or places of business, subject to the approval of the state superintendent of banks.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To permit any bank having its principal place of business in Houston County to establish, maintain, and operate, within the corporate limits or police jurisdiction of any incorporated municipality in which it does business, one or more branches or additional offices or places of business, subject to the approval of the state superintendent of banks.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank having its principal place of business in Houston County may establish, maintain, and operate within the police jurisdiction or corporate limits of any incorporated municipality in which it does business one or more branches or additional offices or places of business, provided that such bank, before the establishment of any such branch or additional office or place of business, shall first secure the written consent thereto of the superintendent of banks of the State of Alabama.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Business Manager of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: May 14, 21, 28, June 4, 1962 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 13 day of June, 1962.

B. WALLACE MILLER,
Notary Public.

Also:

By Mr. Guthrie:

H. 91. Relating to counties having populations of not less than 42,000 nor more than 46,000 according to the last or any subsequent

federal decennial census; to authorize county governing bodies to provide for payment of additional expense and clerk hire allowances to certain county officers.

Also:

By Messrs. Engel and Rogers (Mobile):

H. 92. To authorize and provide for the creation of a public corporation in each county of the state which has a population of at least 250,000, but not more than 500,000 according to the last or any subsequent federal decennial census, to provide for, promote and encourage education on a college or university level and cultural and scientific opportunities for the inhabitants of the county; to provide for the selection of the members and board of directors thereof; to authorize and direct such board to become a public corporation; to prescribe the manner of effecting such corporation; to authorize and empower the corporation to enter into agreements with public educational bodies or any governmental agency or body for the purpose of carrying out its functions; to provide for the powers of such corporation, its continuation and dissolution; and to provide for the transfer to any corporation formed hereunder of the rights, powers, duties and assets of certain other public corporations, which are hereby abolished.

Also:

By Messrs. Rogers (Mobile) and Engel:

H. 93. To extend, alter and rearrange the boundaries of the Town of Mount Vernon, so as to extend the corporate limits thereof.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A bill substantially as hereinafter set forth will be introduced in the Legislature of the State of Alabama:

A BILL TO BE ENTITLED AN ACT

To extend, alter and rearrange the boundaries of the Town of Mount Vernon, so as to extend the corporate limits thereof.

Be It Enacted by the Legislature of Alabama:

Section I.—That the boundaries of the Town of Mount Vernon are hereby altered and rearranged and are defined as follows, and the corporate limits of the Town of Mount Vernon are hereby extended so as to include the entire area within the following boundaries, to-wit:

Beginning at the Southwest corner of Section 44, Township 2 North, Range 1 East; thence run North to the Northwest corner of the Southwest Quarter of the Southwest Quarter; thence run East to the Northeast corner of the Southwest Quarter of the Southwest Quarter; thence run

North to the Northwest corner of the Northeast Quarter of the Northwest Quarter of Section 44; thence run East to the Northeast corner of the Northeast Quarter of the Northwest Quarter of Section 44, Township 2 North, Range 1 East; thence run North to the Northwest corner of the Northwest Quarter of the Southeast Quarter of Section 43, Township 2 North, Range 1 East; thence run East to the Northeast corner of the Northeast Quarter of the Southeast Quarter of Section 43; thence run South to the Southeast corner of Section 43, Township 2 North, Range 1 East; thence run East to the Northeast corner of the Northwest Quarter of the Northwest Quarter of Section 45, Township 2 North, Range 1 East thence run South to the Southeast corner of the Southwest Quarter of the Southwest Quarter of Section 49, Township 2 North, Range 1 East; thence run West to the Northwest corner of the Northeast Quarter of the Northeast Quarter, Section 6, Township 1 North, Range 1 East; thence run South to the Southwest corner of the Northeast Quarter of the Northeast Quarter, Section 6 Township 1 North, Range 1 East; thence run East to the Northeast corner of the Southeast Quarter of the Northeast Quarter of Section 6; thence run South to the Southeast corner of the Southeast Quarter of the Northeast Quarter of Section 6; thence run West to the Southwest corner of the Southeast Quarter of the Northwest Quarter of Section 6; thence run South to the Southeast corner of the Northwest Quarter of the Southwest Quarter of Section 6; thence run West to the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 6; thence run North to the Northwest corner of Section 6, Township 1 North Range 1 East; which corner is the Southwest corner of Section 44, Township 2 North, Range 1 East, and the point of beginning.

Section II—That all laws and parts of laws, general, local or special, in conflict with the provisions of this Act be and the same are hereby repealed.

Section III—This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

W. F. EGAN being sworn, says that he is COMPTROLLER of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Press, July 27, Aug. 10, 17, 24, 1961.

W. F. EGAN.

Sworn to and subscribed before me this 12 day of June, 1962.

JOHN A. BELL,
Notary Public.

Also:

By Messrs. Johnson (J. T. Tom) and Vickers:

H. 95. To amend Act No. 853, H. 1152, Regular Session 1961 (Acts 1961, Vol. 2, p. 1292) which requires the commissioner and state department of revenue to collect sales taxes for the town of Camp Hill, Tallapoosa County.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 42, 44, 46, 67, 76, 77, 78, 79, 84, 91, 92, and 93—to the Committee on Local Legislation.

H. B. 95—to the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Joint Resolution:

H. J. R. 11. Relating to tragic crash of airplane in Paris, France.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Merrill and Albea:

H. J. R. 13. WHEREAS, Miss Maude Luttrell was a member of the faculty of Jacksonville State College for twenty-three years as a teacher of English; and,

WHEREAS, Miss Luttrell served the college faithfully and well, giving her time, talents, and money in entertaining and helping those students who were homesick or in the need of a friend; and

WHEREAS, Miss Luttrell has for more than a quarter of a century been an emissary of good-will for Jacksonville State College throughout the State; now, therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the new boys dormitory on the campus of Jacksonville State College, now known as Building Project Number 5, shall be named "Maude Luttrell Hall."

Be It Further Resolved, That the name "Maude Luttrell" shall be appropriately inscribed on or affixed to this building in such manner as the governing authorities of the institution may direct.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Shelton, the Rules were suspended and the Resolution, H. J. R. 13, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Rast, Morrow, Hawkins, Locke, Sessions and Perry:

H. J. R. 16. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Honorable Jess Edwards, who will soon complete three terms as a representative from Jefferson County, is hereby commended for the able, courageous and diligent manner in which he has performed his duties as a legislator; and he is particularly commended for his legislative activities in support of schools and the promotion of education in this State.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dumas, the Rules were suspended and the Resolution, H. J. R. 16, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Rast, Edwards, Hawkins, Morrow, Locke and Perry:

H. J. R. 15. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Honorable Paul Trammel Sessions, better known to his colleagues as Tram Sessions, who will soon complete twelve years as a representative from Jefferson County, is hereby commended for his faithful, courageous and diligent sponsorship and support of legislation designed to further the welfare and progress not only of Jefferson County, but of the whole State.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dumas, the Rules were suspended and the Resolution, H. J. R. 15, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 11. Relative to expressing sympathy to the families of those who lost their lives in the plane crash in Paris, France on June 3, 1962.

Also:

H. J. R. 12. Relative to welcoming cinerama to the State of Alabama.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to further consideration of the unfinished business for today which was the Bill:

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

as amended by the substitute offered by Mr. Turner, which substitute is set out at length in the Journal of the Senate in the Morning Session.

The question was on the substitute offered by Mr. Haltom, for the Bill S. B. 29 as amended, which said substitute is set out at length in the Journal of the Senate in the Morning Session.

On motion of Mr. Turner, the substitute offered by Mr. Haltom was laid on the table.

Yeas 21; Nays 8.

Yeas:

Messrs.:	Crawford	Golson	Porter
Andrews	Eddins	Graham	Turner
Barnett	Farmer	Jones	Webb
Berryman	Gaither	Kendall	Wilson
Clark	Givhan	Moses	Wyatt
Cooper	Godfrey		

Nays:

Messrs.:	Dumas	Robison	Shelton	
Caffey	Haltom	Samford	Word	
deGraffenried				—8

Mr. Jones offered the following amendment to the Bill, S. B. 29, as amended, to-wit:

Amendment to S. B. 29 as amended by substitute:

Sub Section 5 of Section 1 is amended to read as follows:

Representation in the house of representatives of the legislature shall be based upon population.

Which was adopted.

Yeas 27; Nays 4.

Yeas:

Messrs.:	deGraffenried	Graham	Samford	
Andrews	Eddins	Hines	Shelton	
Barnett	Farmer	Jones	Turner	
Berryman	Gaither	Kendall	Webb	
Clark	Givhan	Moses	Wilson	
Cooper	Godfrey	Porter	Word	
Crawford	Golson	Robison	Wyatt	—27

Nays:

Messrs.:	Dumas	Haltom	Leonard	
Caffey				—4

And said Bill, S. B. 29, as thus amended, was then read a third time at length as required by the Constitution.

And said Bill was then passed.

Yeas 25; Nays 7.

Yeas:

Messrs.:	Eddins	Hines	Rutledge	
Andrews	Farmer	Jones	Turner	
Barnett	Gaither	Kendall	Webb	
Berryman	Givhan	Leonard	Wilson	
Clark	Godfrey	Moses	Word	
Cooper	Golson	Porter	Wyatt	
Crawford	Graham			—25

Nays:

Messrs.:	deGraffenried	Haltom	Samford	
Caffey	Dumas	Robison	Shelton	—7

The Bill:

S. 31. To authorize and provide for the creation of a public corporation in each county of the state which has a population of at least 250,000, but not more than 500,000 according to the last or any subsequent federal decennial census, to provide for, promote and encourage education on a college or university level and cultural and scientific opportunities for the inhabitants of the county; to provide for the selection of the members and board of directors thereof; to authorize and direct such board to become a public corporation; to prescribe the manner of effecting such corporation; to authorize and empower the corporation to enter into agreements with public educational bodies or any governmental agency or body for the purpose of carrying out its functions; to provide for the powers of such corporation, its continuation and dissolution; and to provide for the transfer to any corporation formed hereunder of the rights, powers, duties and assets of certain other public corporations, which are hereby abolished.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Leonard	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Word
Crawford	Graham	Robison	Wyatt
deGraffenried			

—24

Nays:

—0

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Fourth Legislative Day was approved by the Senate.

ADJOURNMENT

At 3:57 P.M., on motion of Mr. Cooper and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Thursday, June 21, 1962, at 12 o'clock Noon.

FIFTH LEGISLATIVE DAY

THURSDAY, JUNE 21, 1962

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by the Reverend Tommy Karn, Sampey Memorial Baptist Church, Ramer, Alabama.

ROLL CALL

Present:

Messrs.:			
Andrews	Dumas	Haltom	Samford
Barnett	Eddins	Hines	Shelton
Berryman	Farmer	Jones	Turner
Caffey	Gaither	Kendall	Webb
Clark	Givhan	Moses	Wilson
Cooper	Godfrey	Porter	Word
Crawford	Golson	Robison	Wyatt
deGraffenried	Graham	Rutledge	

—31

JOURNAL

On motion of Mr. Wilson, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Wyatt, leave of absence was granted Mr. Leonard for today.

On motion of Mr. Gaither, leave of absence was granted Mr. Roberts for today.

REPORT OF COMMITTEE ON
ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following engrossed

Senate Bill with the original Senate Bill, respectively and finds same correctly engrossed, to-wit:

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

HUGH MOSES,
Chairman.

RESOLUTION

Mr. Hines offered the following Senate Joint Resolution, to-wit:

S. J. R. 4. WHEREAS, death came to Mrs. Mary Samford Wooten, a beloved and esteemed native of Opelika, Alabama, in Princeton, Massachusetts on June 15, 1962, and

WHEREAS, Mrs. Wooten was a distinguished member of a distinguished family long influential in the shaping of the history and progress of our State, being a daughter of former Governor and Mrs. William James Samford, and

WHEREAS, Mrs. Wooten was the widow of the late Dr. Benjamin A. Wooten, long time esteemed head of the physics department at the University of Alabama, and

WHEREAS, Mrs. Wooten was herself a highly valued and beloved leader in her own community, being an active member of Emmanuel Episcopal Church and of the United Daughters of the Confederacy, Round Table Club, and many other civic and social organizations in Opelika, and

WHEREAS, Mrs. Wooten is survived by her two sisters, Mrs. Susan Samford Smith and Mrs. Caroline Samford Giles, a son, Dr. Benjamin A. Wooten, Jr., professor of physics at Worcester Polytechnic Institute, Worcester, Massachusetts, and many nieces and nephews, and

WHEREAS, the State of Alabama has suffered a distinct loss in the passing of this distinguished and beloved citizen of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That the Legislature of Alabama expresses its deepest regret and extends its sincerest sympathy to the family of Mrs. Wooten upon the passing of this distinguished and beloved citizen of Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. Susan Samford Smith, Mrs. Caroline Samford Giles, and Dr. Benjamin A. Wooten, Jr.

On motion of Mr. Hines, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 13. Relative to naming the new boys dormitory at Jacksonville State College the "Maude Luttrell Hall".

Also:

H. J. R. 15. Relative to commending the Honorable Paul Trammel Sessions, Representative from Jefferson County.

Also:

H. J. R. 16. Relative to commending the Honorable Jess Edwards, Representative from Jefferson County.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. deGraffenried:

S. 48. Relating to the Partlow State School for Mental Deficients; changing the name of such institution to Partlow State School and Hospital.

Committee on Judiciary.

By Mr. Porter:

S. 49. Relating to counties having populations of not less than 25,700 nor more than 25,950; to alter, rearrange and extend the corporate limits of certain towns within such counties.

Committee on Local Legislation.

RECESS

At 12:16 P.M., on motion of Mr. Gaither, the Senate took a recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION FIFTH LEGISLATIVE DAY THURSDAY, JUNE 21, 1962

The Senate re-assembled at 2:00 o'clock P.M., Lieutenant Governor Boutwell presiding.

ROLL CALL

Present:

Messrs.:	deGraffenried	Graham	Rutledge
Andrews	Dumas	Halton	Samford
Barnett	Eddins	Hines	Shelton
Berryman	Farmer	Jones	Turner
Caffey	Gaither	Kendall	Webb
Clark	Givhan	Moses	Wilson
Cooper	Godfrey	Porter	Word
Crawford	Golson	Robison	Wyatt

—31

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 4. Relative to expressing deepest regret and extending sincerest sympathy to the family of Mrs. Mary Samford Wooten.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Meade:

H. J. R. 17. WHEREAS, the Honorable Lemuel Jackson Cobb, a distinguished former member of both Houses of the Legislature of Alabama, passed away on June 9, 1962, and

WHEREAS, Mr. Cobb was a prominent alumnus of two of our institutions of higher learning, Auburn University and the University of Alabama, and

WHEREAS, Mr. Cobb so ably practiced his chosen profession of law in his community where he was held in high esteem and affection, and

WHEREAS, his loss will be sorely felt by his friends and colleagues throughout the State of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA:

That the Legislature of Alabama expresses its sorrow and regret upon the death of Mr. Cobb and extends its deepest sympathy to Mrs. Cobb upon the loss of her husband.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. Cobb.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Godfrey, the Rules were suspended and the Resolution, HJR 17, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bassett and Sorrell:

H. J. R. 18. WHEREAS, Catherine Collins Gardner was a member of the first faculty of the Troy Normal School when the school was established in 1887; and

WHEREAS, Miss Gardner served the Normal School almost continuously for more than a half century, first as a teacher of the third grade in the Model School and as a teacher in the Normal School, and from 1896 until her retirement in 1941 as the Director of the Model School; and

WHEREAS, Miss Gardner is the only surviving member of a group of educators known to the teaching profession as the "Immortal Seven"; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING: That the new girls' dormitory at Troy State College be named the "Catherine Collins Gardner Dormitory" and that such name shall be appropriately inscribed or affixed to the building in such manner as the governing authorities of the Institution may direct.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Turner, the Rules were suspended and the Resolution, HJR 18, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Word (by request):

S. 50. To fix the time for opening and closing the polls in all counties having a population of not less than 110,000 nor more than 160,000 according to the last or any subsequent federal decennial census.

Committee on Local Legislation.

By Mr. Word (by request):

S. 51. To provide further for the compensation of election officials in each county having a population of not less than 110,000 nor more than 160,000, according to the 1960 or any subsequent federal decennial census.

Committee on Finance and Taxation.

By Mr. Word (by request):

S. 52. To apply only in counties in the state having populations of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; to designate voting officials and to prescribe their duties in the conduct of all elections held in such counties.

Committee on Local Legislation.

By Messrs. Cooper, Rutledge, Golson and Gaither:

S. 53. To amend Section 1 of Act No. 388, approved September 9, 1955, entitled "An Act To Fix the Compensation of Certain State Officers."

Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Webb, Shelton, Turner, Kendall, Word, Barnett, Eddins, Farmer, Graham, Andrews, Clark, Berryman and Wyatt:

S. 47. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Engel, Rogers (Mobile) and Murphy:

H. 44. To apply in all counties of the State having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census; providing for the appointment of bailiffs for the Circuit Courts in such counties, prescribing their duties, and regulating their compensation.

By Mr. Engel:

H. 46. To amend Section 19 of Act No. 678, H. 1364, approved September 8, 1961, General Acts of Alabama 1961, Page 952, entitled "An Act regulating the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students

and apprentices; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof in all counties having a population of not less than 300,000 nor more than 500,000 inhabitants according to the last or any subsequent federal decennial census."

By Messrs. Rogers (Mobile) and Murphy:

H. 67. Relating to cities having a population of not less than 200,000 nor more than 300,000, according to the last or any subsequent federal decennial census; providing for the appointment of an administrative assistant by the members of the city commission, council, or like governing body of any such city.

By Mr. Guthrie:

H. 77. To provide clerical assistance for the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000.

By Mr. Guthrie:

H. 78. Relating to counties having populations of not less than 42,000 nor more than 46,000; providing for increases in pay of deputy sheriffs of such counties.

By Mr. Guthrie:

H. 79. To authorize and provide for the payment out of the county treasury of the county composing such judicial circuit of a monthly allowance for expenses incurred in the conduct and maintenance of his office and in the proper and efficient performance and discharge of his duties to each circuit judge in every judicial circuit composed of one county having a population of not less than 42,000 nor more than 46,000 inhabitants, according to the last, or any subsequent, federal decennial census.

By Mr. Adams (With Notice and Proof):

H. 84. To permit any bank having its principal place of business in Houston County to establish, maintain, and operate, within the corporate limits or police jurisdiction of any incorporated municipality in which it does business, one or more branches or additional offices or places of business, subject to the approval of the state superintendent of banks.

By Mr. Guthrie:

H. 91. Relating to counties having populations of not less than 42,000 nor more than 46,000 according to the last or any subsequent federal decennial census; to authorize county governing bodies to provide for payment of additional expense and clerk hire allowances to certain county officers.

By Messrs. Engel and Rogers (Mobile):

H. 92. To authorize and provide for the creation of a public corporation in each county of the state which has a population of at least 250,000, but not more than 500,000 according to the last or any subsequent federal decennial census, to provide for, promote and encourage education on a college or university level and cultural and scientific opportunities for the inhabitants of the county; to provide for the selection of the members and

board of directors thereof; to authorize and direct such board to become a public corporation; to prescribe the manner of effecting such corporation; to authorize and empower the corporation to enter into agreements with public educational bodies or any governmental agency or body for the purpose of carrying out its functions; to provide for the powers of such corporation, its continuation and dissolution; and to provide for the transfer to any corporation formed hereunder of the rights, powers, duties and assets of certain other public corporations, which are hereby abolished.

By Messrs. Rogers (Mobile) and Engel (With Notice and Proof):

H. 93. To extend, alter and rearrange the boundaries of the Town of Mount Vernon, so as to extend the corporate limits thereof.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 15. Relating to counties having populations of not less than 15,300 nor more than 15,400 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law; giving the act retroactive effect.

Also:

S. 16. To regulate the compensation of members of the county board of education in counties having populations of not less than 15,300 nor more than 15,400 inhabitants according to the 1960 federal decennial census; giving the Act retroactive effect.

Also:

S. 17. To provide for the employment of a deputy clerk in the office of the clerk of the circuit court in counties of not less than 15,300 nor more than 15,400 population according to the last or any subsequent federal decennial census, and giving the Act retroactive effect.

Also:

S. 18. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than 15,300 nor more than 15,400 according to the 1960 or any subsequent federal decennial census, and giving the act retroactive effect.

Also:

S. 21. Relating to cities having populations of not less than 100,000 nor more than 200,000 inhabitants: To provide for the payment of benefits to employees of any such city who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such city who are killed in the performance of their official duties.

Also:

S. 22. To repeal Act No. 627 of the 1961 Regular Session of the Legislature of Alabama proposing an amendment to the Constitution of Alabama relative to the levying of additional taxes for school purposes within Montgomery County.

Also:

S. 23. Relating to counties having populations of not less than 150,000 nor more than 300,000 inhabitants: To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

Also:

S. 25. To amend Sections 2, 5, and 7 of Act No. 317 adopted at the 1943 Regular Session of the Legislature of Alabama so as to make changes in the provisions thereof respecting the details and sales of securities by Wilcox County.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Perry, Sessions, Edwards, Rast, Morrow and Hawkins:

H. 32. To confer upon the Alabama Public Service Commission exclusive authority and power to regulate the rates of and to supervise certain public utilities the operations of which are exempt, in whole or in part, from the provisions of the Alabama Motor Carrier Act of 1939, and which said utilities are engaged in business as common carriers of passengers for hire within counties having a population of 500,000 or more inhabitants according to the latest or any subsequent federal census.

Also:

By Mr. Cook:

H. 11. To amend Act No. 409, H. 809, approved September 9, 1955, (Acts of Organizational—Special—Regular Sessions 1955, Vol. II, p. 954) which relates to furnishing equipment, supplies, and additional clerks to the tax assessor and the tax collector of counties having a population of not less than 30,700 nor more than 31,400 inhabitants according to the decennial census of the United States of 1950, and having two court houses and a court of county commissioners:

Relating to counties having a population not less than 30,000 nor more than 34,000 inhabitants according to the last or any subsequent decennial census of the United States, and having two court houses and a court of

county commissioners; providing for the furnishing of additional clerks to the tax assessor and the tax collector of such counties.

Also:

By Mr. Bishop:

H. 96. Relating to Colbert County; levying additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments and additions thereto; providing for the enforcement and collection of the taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; prescribing the purposes for which such proceeds may be used; and superseding Act No. 485, H. 1049, approved August 30, 1949 (Acts 1949, p. 704), the county sales and use tax law.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF COLBERT

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Colbert County; levying additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments and additions thereto; providing for the enforcement and collection of the taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; prescribing the purposes for which such proceeds may be used; and superseding Act No. 485, H. 1049, approved August 30, 1949 (Acts 1949, p. 704), the county sales and use tax law.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In Colbert County there is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, special county privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, and amendments and additions thereto, as follows:

(1) A privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against the gross sales, or gross receipts, as the case may be, as follows:

(a) Upon every person, firm or corporation (including the State of Alabama and its Alcoholic Beverage Control Board in the sale of alcoholic beverages and all institutions of higher learning in the county, whether such institutions be denominational, state, county, or municipal institutions; and any association or other agency or instrumentality of such institutions) engaged, or continuing within Colbert County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks), an amount equal to one-half of one per cent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer, on the gross sales of the business. Provided that where all the sales of a company are single sales of peanut products, milk products, coffee, and confections sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not to exceed ten cents (10c) per sale, and the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10c) per sale and shall file with the State Department of Revenue a sworn statement to that effect and shall keep and maintain records satisfactory to the State Department of Revenue, the gross receipts tax herein provided for shall not be levied.

(b) Upon every person, firm or corporation engaged, or continuing within Colbert County, in the business of conducting, or operating, places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution within the county, or any athletic association thereof, or other association whether such institution or association be a denominational, a state, a county, or a municipal institution or association or a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within Colbert County, an amount equal to one per cent of the gross receipts of any such business.

(c) Upon every person, firm or corporation engaged or continuing within Colbert County in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property an amount equal to three-eighths of one per cent of the gross proceeds of the sale of such machines; provided, that the term "machines," as herein used, shall include machinery which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(d) Upon every person, firm or corporation engaged or continuing within Colbert County in the business of selling at retail any automotive vehicle or truck trailer or semi-trailer, or house trailer, an amount equal

to one-eighth of one per cent of the gross proceeds of the sale of said automotive vehicle or truck trailer, and semi-trailer or house trailer.

Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(2) (a) An excise tax on the storage, use, or other consumption in Colbert County of tangible personal property purchased at retail on or after the effective date of this Act for storage, use, or other consumption in the county at the rate of one per cent of the sales price of such property, regardless of whether the retailer is or is not engaged in the business in the county, except as provided below in paragraph (b) or (c) of this subsection.

(b) An excise tax is hereby imposed on the storage, use or other consumption in Colbert County of any machine used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, purchased at retail on or after the effective date of this Act at the rate of three-fourths of one per cent of the sales price of any such machine; provided, that the term "machines," as herein used, shall include machinery which is used for mining, quarrying, compounding, processing, or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(c) An excise tax on the storage, use or other consumption in Colbert County of any automotive vehicle, truck trailer, semi-trailer or house trailer purchased at retail on or after the effective date of this Act for storage, use, or other consumption in the county at the rate of one-fourth of one per cent of the sales price of such automotive vehicle, truck trailer, semi-trailer, or house trailer.

Where any used automotive vehicle or truck trailer, semi-trailer, or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(d) Every person storing, using, or otherwise consuming in Colbert County tangible personal property purchased at retail after the effective date of this Act shall be liable for the tax, and the liability shall not be extinguished until the tax has been paid as provided for by this Act; provided, however, that a receipt from a retailer maintaining a place of business in Colbert County showing the payment of such tax shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer.

Section 2. The taxes provided for in Section 1 shall be subject to all definitions, exceptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments, and deductions as are applicable to the state sales and use taxes levied under Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, and all acts now or hereafter amendatory thereof or supplementary thereto, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof

by reference, including the provisions for the enforcement and collection of the taxes.

Section 3. All taxes imposed by this Act, together with such interest and penalties as may be imposed herein, shall be a lien upon the property of any person, firm or corporation due to pay such taxes under the provisions of this Act, and all of the provisions of the revenue laws of the State of Alabama applying to, or with reference to, the enforcement of liens for license taxes due the State of Alabama shall apply fully to the collection of the taxes imposed by this Act, and the State Department of Revenue, for the use and benefit of Colbert County, shall collect or enforce such taxes in the manner and form therein provided, and as further provided in Section 4 hereof.

Section 4. The taxes imposed by this Act shall be collected by the State Department of Revenue at the same time and along with the collection by the department of taxes levied and collected for the State of Alabama under Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments thereto, and all reports now required to be made to the Commissioner of Revenue of the State of Alabama shall, on request of the Department of Revenue, be available for inspection by the chairman of the county governing body of Colbert County, or his designated agent, at reasonable times during business hours. The State Department of Revenue shall prepare and distribute such reports, forms, and other information as may be necessary for the collection of the additional taxes herein imposed, and shall have all the authority and duties in connection with such additional taxes as are now given by law to the department for the collection of state sales and use taxes under Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940 and amendments thereto. It shall be the duty of the Commissioner of Revenue to pay into the state treasury all collections of taxes made hereunder, and on or before the first day of the following month the Commissioner of Revenue shall certify to the State Comptroller the amount of special taxes levied and collected under the authority of this Act for the use and benefit of Colbert County during the calendar month immediately preceding the making of such certificate to the State Treasurer; whereupon it shall be the duty of the State Comptroller to issue his warrant on the state treasury, payable to the custodian of the county school funds of Colbert County for the amount so certified by the Commissioner of Revenue as having been collected for the use and benefit of Colbert County and paid into the state treasury. The State Department of Revenue shall charge Colbert County for collecting the taxes levied by this Act such percentage of the taxes collected, not in excess of five per cent thereof, as is agreed upon by the Commissioner of Revenue and the Colbert County Board of Education. Such charge for collecting such taxes shall be deducted from the special sales and special use taxes collected before certifying the amount of special sales and special use taxes due Colbert County.

Section 5. The taxes imposed by this Act shall be in addition to all other licenses and taxes levied by law as a condition precedent to engaging in any business taxable hereunder in Colbert County, except as herein otherwise specifically provided.

Section 6. The taxes levied by this Act shall be due and collectible at the same times and in the manner as the state sales and use taxes, and as set out in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and in Article 11 of Chapter 20 of Title 51 of the Code of Alabama 1940; and all of the methods and provisions given to the State of Alabama as to the collection of such taxes under the provisions of Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959 and Article

11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments thereto, are given hereby to Colbert County, and to the State Department of Revenue for Colbert County's use, as to the taxes levied by this Act.

Section 7. Seventy-five per cent of the proceeds of the taxes imposed by this Act, when paid to the custodian of the county school funds of Colbert County, as provided in Section 4, shall be apportioned to the Board of Education of Colbert County and retained in the county school fund; and the remaining twenty-five per cent shall be divided between the Board of Education of the City of Sheffield and the Board of Education of the City of Tuscumbia, sixty per cent thereof being allocated and paid to the Board of Education of the City of Sheffield and forty per cent to the Board of Education of the City of Tuscumbia. The payment of the principal of and interest on any warrants or other evidences of debts to the payment of which the revenues derived from the taxes levied by Act No. 485, H. 1049, approved August 30, 1949, as amended, were pledged, shall be a preferred claim against the proceeds of the taxes levied by this Act accruing to each of the above named boards of education which issued such warrants or other evidences of debt. All the revenues accruing from the tax levied by this Act allocated to the Board of Education of the City of Sheffield which are not required for the payment of debts as above provided, shall be used exclusively for public school purposes in said city. All such revenues allocated to the Board of Education of the City of Tuscumbia not needed for the payment of debts as above provided shall be used exclusively for public school purposes in the City of Tuscumbia. All such revenues allocated to the Colbert County Board of Education not needed for the payment of debts as above provided shall be used exclusively for public school purposes in said county outside cities of Sheffield and Tuscumbia.

Section 8. Each of the boards of education named in Section 7 above shall have the right and authority to pledge, as security for any warrants that may be issued by it for public school purposes and as security for any other debts that may be incurred by it for public school purposes, such part of the revenues arising from taxes levied and allocated to it under this Act as is not required to pay its outstanding warrants and other debts to which proceeds from the taxes levied by said Act No. 485 of 1949 had been pledged. The use of such revenues for payment of the principal of and interest on such warrants and other debts is hereby declared to be a public school purpose within the purview of Section 7 above. When the revenues arising from the taxes levied by this Act have been pledged, as hereinabove authorized, to the payment of warrants and other debts, such warrants and debts shall constitute preferred claims over that portion of said revenues pledged therefor; and claims therefor shall have preference over claims against said revenues incurred for operating expenses and for any other purpose whatsoever.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This Act supersedes Act No. 485, H. 1049, approved August 30, 1949 (Acts 1949, p. 704) as amended, which levied sales and use taxes for Colbert County. Provided, this Act shall not affect rights, liabilities, and duties that matured, penalties that were incurred, or proceedings that were begun under said Act No. 485 before the effective date of this enactment.

Section 11. This Act shall become effective October 1, 1962; however the Commissioner of Revenue and any officer or employee of the State Department of Revenue charged with any duty relative to the preparation

of blanks, forms or other items needed for the collection of the taxes hereby levied shall perform such duties at such time before October 1, 1962 as will enable the Commissioner and the department to begin collection of the taxes hereby levied on October 1, 1962.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared L. H. Baker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Standard & Times, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 25, 1962; June 1, June 8, and June 15, all in the year 1962.

L. H. BAKER,
General Manager.

Sworn to and subscribed before me June 15, 1962.

JAMES A. ROBERTS,
Title Notary Public state-at-large.
My Commission expires Oct. 9, 1962.

Also:

By Mr. Bishop:

H. 97. To amend further Section 2 of Act No. 131, H. 333, Regular Session 1949, an act which created and established the board of revenue for Colbert County (Acts 1949, p. 157).

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

STATE OF ALABAMA
COUNTY OF COLBERT

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 2 of Act No. 131, H. 333, Regular Session 1949, an act which created and established the board of revenue for Colbert County (Acts 1949, p. 157).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2 of Act No. 131, H. 333, Regular Session 1949, the act which created and established the board of revenue for Colbert County (Acts 1949, p. 157), as amended by an act approved August 20, 1957 (Acts 1957, p. 456), is amended further to read as follows:

"Section 2. For the purposes of this Act, Colbert County shall remain divided into four districts as provided by Act No. 184, H. 564, approved June 23, 1945 (Local Acts 1945, p. 101)."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. F. Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Colbert County Reporter, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, May 31, June 7, and June 14, all in the year 1962.

W. F. MILLER.

Sworn to and subscribed before me June 18, 1962.

FRANCES Di RAGO,
Title Notary Public.

Also:

By Mr. Bishop:

H. 98. To make it unlawful for a member of the governing body of the Colbert County Hospital to have any financial or beneficial interest in, or receive anything of value or promise thereof for the purchase, or contract to purchase insurance, personal property, or contractual service for such hospital; and to prescribe penalties for the violation of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

STATE OF ALABAMA
COUNTY OF COLBERT

NOTICE is hereby given that a bill substantially as follows will be

introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To make it unlawful for a member of the governing body of the Colbert County Hospital to have any financial or beneficial interest in, or receive anything of value or promise thereof for the purchase, or contract to purchase insurance, personal property, or contractual service for such hospital; and to prescribe penalties for the violation of this Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. It is unlawful for a member of the Colbert County Hospital Board or like governing body of such hospital to have a financial or personal beneficial interest, either directly or indirectly, in the purchase of, or a contract to purchase insurance, personal property or services for the Colbert County Hospital; to have a financial or beneficial interest in any firm, partnership, association or corporation furnishing such personal property or contractual service to the hospital; or to demand, ask for, bargain for, take or agree to take or receive directly or indirectly, from any person, firm or corporation to whom such a purchase or contract may be awarded any rebate, discount, drawback, commission, gift, gratuity, or promise therefor. Whoever violates this Act is guilty of a misdemeanor and shall be punished as prescribed by law.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. F. Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Colbert County Reporter, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, May 31, June 7, and June 14, all in the year 1962.

W. F. MILLER.

Sworn to and subscribed before me the 18th day of June, 1962.

FRANCES Di RAGO,
Title Notary Public.

Also:

By Mr. Guthrie:

H. 99. To provide an allowance for expenses to the circuit solicitors

of circuits composed of one county having a population of not less than 42,000 nor more than 46,000.

Also:

By Messrs. Murphy, Engel and Rogers (Mobile):

H. 106. To amend the Title and Sections 1 and 2 of Act No. 839, H. 1516, of the 1961 Legislature, approved September 8, 1961, entitled "An Act to authorize and direct the county governing body of Mobile County to pay certain sums as supplementary pension payments to certain employees of the county entitled to retirement pay from sources to which the county has contributed."

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application will be made for its passage, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend the Title and Sections 1 and 2 of Act No. 839, H. 1516, of the 1961 Legislature, approved September 8, 1961, entitled "An Act to authorize and direct the county governing body of Mobile County to pay certain sums as supplementary pension payments to certain employees of the county entitled to retirement pay from sources to which the county has contributed."

Be it Enacted by the Legislature of Alabama:

Section 1. The Title of Act No. 839, approved September 8, 1961, is amended to read as follows: "An Act to authorize and direct the county governing body of Mobile County to pay certain sums as pensions or supplementary pension payments to certain employees and former employees of Mobile County or any court or agency thereof."

Section 2. Section 1 of Act No. 839, approved September 8, 1961, is amended to read as follows:

Section 1. For the purpose of this Act the following shall apply:

(1) The term "employee" as used in this Act shall mean any person employed by the county or any court or other county agency for remuneration no matter how paid, and regardless of the status of his employment, whether under civil service, as a day laborer, or by appointment. The term "employee" shall be interpreted broadly by the county governing body in the application of this Act.

(2) Whenever a number of years of employment is specified herein it shall mean continuous employment, uninterrupted for any reason other than a temporary, lingering illness or disability, or military service.

(3) A person who shall acquire the necessary years of employment as prescribed herein, but who shall leave such employment prior to attaining the age of fifty years, shall not be entitled to benefits under this Act unless the termination of employment shall be for reason of health of the employee or a member of his immediate family or military service of the employee, the determination of his eligibility or ineligibility for such benefits to be determined by the County Commission of Mobile County.

(4) No person shall be entitled to be paid any of the benefits under the provisions of this Act prior to attaining the age of sixty-two years, except as provided in Section 3 (4) hereof.

(5) Retirement under this Act shall mean final separation from employment by the county, or any court or agency thereof, and no benefits shall be paid to retired employees who become re-employed by the county on a part or full time basis, during such re-employment.

(6) The term "court" shall include the Circuit Court of the Thirteenth Judicial Circuit.

(7) The provisions of this Act shall apply to all former employees of Mobile County, or any court or agency thereof, regardless of the date of their retirement provided the age and years of employment requirements were fulfilled by the former employee.

(8) Retirement under this Act shall not require the retiree to discontinue all gainful employment in order to be eligible to receive the benefits provided herein; provided, however, that a retiree under this Act who is or becomes ineligible to draw Social Security payments, because of income derived from such employment, shall be entitled to benefits under this Act only in such amount as he would have been entitled to receive if he were actually drawing his full Social Security benefits; and further provided that such gainful employment is restricted by the provisions of Section 1 (5) hereof.

(9) Retirement eligibility, once established, is permanent and shall not be lost by an absence and subsequent re-employment except as provided in Section 1 (5) hereof.

(10) No payment of benefits provided for in this Act shall be retroactive beyond the date of application therefor. No application may be dated prior to the effective date of this Act.

(11) In computing the amount of retirement benefits payable hereunder by the County to any particular applicant who declined to be covered by a pension plan and/or Social Security when it was optional on his part and to which the County would have contributed had the applicant exercised his right to be covered thereby the County shall deduct from the monthly amount of the supplementary pension to be paid hereunder an amount or amounts equal to the monthly benefits the applicant would have received from such other pension and/or Social Security had he chosen to be covered by the offered pension plan and/or Social Security.

(12) In computing benefits payable under this Act, payments made to a spouse of a retiree under the Social Security laws, as a result of the employee's coverage thereunder, shall not be counted in the amount of pension payments received from a source or sources to which the County shall have contributed.

(13) Service in any branch of the military during time of war or national emergency by an employee shall be counted as though the employee were in the employment of the County during the entire period.

Section 3. Section 2 of Act No. 839, approved September 8, 1961, is amended as follows: After the period at the end of the last sentence add the following:

"Provided, however, that an applicant who meets the years of employment and age requirements, but on whose behalf no payments were made into a retirement fund or Social Security by the County due to the non-existence of the retirement fund or Social Security System at the time of employment of the applicant, or his ineligibility for participation at the time of establishment of the retirement fund or coverage of County employees under the Social Security System, shall be entitled to benefits under this Act, and the County shall make pension or supplementary pension payments to such person to provide the maximum applicable benefits allowable under Section 3 hereof."

Section 4. On or after the effective date of this Act any person who claims to be entitled to benefits under the terms of this Act shall make written application therefor to the County Commission of Mobile County in the manner and form prescribed by said Commission and such County Commission shall determine the eligibility of such applicant for benefits hereunder and the amounts of said benefits if any.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective October 1, 1962.

W. F. Egan being sworn, says that he is comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register May 26. Jun. 2. 9. 16. 1962

W. F. EGAN.

Sworn to and subscribed before me This 18 day of June 1962.

DAN E. MILLER, JR.,
Notary Public.

Also:

By Messrs. Engel, Rogers (Mobile) and Murphy:

H. 107. To further amend Section 4 (a) of act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court" (Act No. 345, S. 291, 1955 Acts Vol. II, p. 783).

Also:

By Mr. Murphy:

H. 108. To amend Section 13 of Act No. 934 of the 1961 Legislature approved September 9, 1961 to provide for further distribution of the costs of carrying out the provisions of said Act.

Also:

By Messrs. Johnson (Hardaway) and Johnston (Leonard):

H. 100. To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) The following officers of Elmore County shall be entitled to receive annual salaries in lieu of any fees, commissions, allowances, percentages, charges, and costs, except as herein otherwise provided:

1. The judge of probate shall receive an annual salary of ten thousand dollars, which shall include compensation for all ex officio duties.

2. The sheriff shall receive an annual salary of nine thousand dollars. The sheriff shall also be entitled to an allowance of two hundred dollars a month for travel expenses.

3. The tax assessor shall receive an annual salary of eight thousand four hundred dollars.

4. The tax collector shall receive an annual salary of seven thousand two hundred dollars.

5. The clerk of the circuit court shall receive an annual salary of six thousand six hundred dollars, which shall include his compensation for

all ex officio duties including services as ex officio Clerk of the Elmore County Court.

6. The register of the circuit court shall receive an annual salary of one thousand eight hundred dollars.

(b) The court of county commissioners, board of revenue, or other like governing body of Elmore County may, in its discretion, decrease the salaries of any one or more of the officers enumerated in subsection (a), provided that such decrease shall not take effect during the term for which officer was elected or appointed, and provided also that the salary of the judge of probate shall not be reduced below seven thousand two hundred dollars per annum, the salary of the sheriff shall not be reduced below six thousand dollars per annum, the salary of the tax assessor shall not be reduced below five thousand four hundred dollars per annum, the salary of the tax collector shall not be reduced below five thousand dollars per annum, the salary of the clerk of the circuit court shall not be reduced below five thousand dollars per annum, and the salary of the register of the circuit court shall not be reduced below twelve hundred dollars per annum.

Section 2. The court of county commissioners, board of revenue, or other like governing body of Elmore County, shall provide compensation for clerks, assistants and secretaries for the offices enumerated in this Act in such number as may be necessary for the efficient conduct of their offices; provided, the judge of probate shall not be allowed more than two full time clerks, the sheriff shall be allowed a jailer and the same number of deputies and other assistants as are now provided by law who shall receive the compensation and allowances as may be prescribed by law, the clerk of the circuit court shall not be allowed more than two full time clerks, the tax assessor shall not be allowed more than one full time clerk, the tax collector shall not be allowed more than one full time clerk, and the register of the circuit court shall not be allowed any full time clerks. Each officer shall appoint his own deputies, clerks, secretaries, and assistants, and shall fix their compensation, subject to the approval of the board of revenue, county commissioners, or other like county governing body as to number and rate of pay, except as herein otherwise provided. The sheriff shall also be allowed to appoint one full time clerk whose compensation shall be fixed by the county governing body.

Section 3. The fees, commissions, percentages, allowances, charges, and court costs heretofore collectible for the use of any of the officers enumerated in Section 1 of this Act shall hereafter be collected for the use of the county and shall be paid into the general fund of the county. Provided, the sheriff shall be entitled to the allowances payable by the state for feeding prisoners and also such mileage and expense allowances as may be payable according to law for returning or transferring prisoners and insane persons to or from points outside Elmore County. The compensation of the officers enumerated in Section 1, and of their clerks, deputies, secretaries, and other assistants shall be paid in equal monthly installments from the general fund of the county in the same manner as employees of the county are paid.

Section 4. The court of county commissioners, board of revenue, or other like governing body of Elmore County shall provide the judge of probate, sheriff, tax assessor, tax collector, clerk of the circuit court, and register of the circuit court, with the books, stationery, office equipment, supplies, postage, and other conveniences as may be necessary for the proper and efficient conduct of the affairs of their respective offices,

but not including motor vehicles; and may provide for the installation, repair, and maintenance of an inter-communication system for the sheriff and his deputies.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective as to each county office specified at the expiration of the term of the incumbent officer, and upon the approval of the Act by a majority of the qualified electors of the county who vote thereon at a referendum election held for that purpose. The referendum shall be held on the same day as the next general election for state officers, and the question to be submitted shall be stated on the ballots or voting machine tabs substantially as follows: Do you favor adoption of the Act of the Legislature providing for compensation of Elmore County officers on salary basis? The court of county commissioners, board of revenue or other like governing body of the county shall call and provide for holding the referendum, which shall be held and conducted as nearly as may be in the same manner as elections providing for the levy of county school taxes. The probate judge of the county shall certify the results of the referendum to the Secretary of State of Alabama within 30 days after the election returns have been canvassed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bruce Jetton, who, being by me first duly sworn, deposes and says that during the time herein mentioned he was Publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, May 31, June 7, and June 14, all in the year 1962.

BRUCE JETTON.

Sworn to and subscribed before me June 15th, 1962.

JAMES A. NOBLE.
Title Notary Public.

Also:

By Messrs. Johnson (Hardaway) and Johnston (Leonard):

H. 101. To amend Act No. 49, H. 213, Regular Session 1957, which provides for a Chief Deputy Sheriff and other Deputies Sheriff of Elmore County and regulates their compensation, allowances, and expenses (Acts 1957, vol. I, p. 92).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 49, H. 213, Regular Session 1957, which provides for a Chief Deputy Sheriff and other Deputies Sheriff of Elmore County and regulates their compensation, allowances, and expenses (Acts 1957, vol. I, p. 92).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 2, 3, 4, 5, 6, 7, and 8 of Act No. 49, H. 213, Regular Session 1947, an Act providing for a Chief Deputy Sheriff and other Deputies Sheriff of Elmore County and regulating their compensation, allowances, and expenses (Acts 1957, vol. I, p. 92), are hereby amended to read as follows:

"Section 2. The Chief Deputy Sheriff shall receive a salary of not less than three thousand six hundred dollars nor more than four thousand eight hundred dollars a year, the same to be fixed by the Court of County Commissioners of said County.

"Section 3. The said Sheriff may also have a Deputy Sheriff who shall receive a salary of not less than three thousand three hundred dollars nor more than four thousand five hundred dollars a year, the same to be fixed by the Court of County Commissioners of said County.

"Section 4. Said Sheriff may also have a Deputy who shall receive a salary of not less than three thousand three hundred dollars nor more than four thousand five hundred dollars a year, the same to be fixed by the Court of County Commissioners of said County.

"Section 5. Said Sheriff may also have a deputy who shall receive a salary of not less than three thousand three hundred dollars nor more than four thousand five hundred a year, the same to be fixed by the Court of County Commissioners of said County, and whose duties shall be performed principally in that section of Elmore County west of the Coosa River.

"Section 6. The said Chief Deputy and the Deputies authorized in Sections 4 and 5 hereof, in addition to the regular monthly compensation, shall each be paid for traveling in the performance of his official duties as such Chief Deputy and Deputies in all cases where he provides his own vehicle and pays for operating the same, the sum of \$200.00 a month for expenses.

"Section 7. Said Sheriff may also have an additional Deputy who

shall receive a salary of not less than one thousand six hundred fifty dollars a year nor more than two thousand two hundred fifty dollars a year, the same to be fixed by the Court of County Commissioners of said County, and whose duties shall be performed principally in the vicinity of Martin Lake; said compensation to be payable in equal monthly installments, and in addition to said salary, said Deputy shall be entitled to expenses for traveling in the performance of his official duties at the rate of \$200.00 a month.

"Section 8. The regular annual salaries of the Chief Deputy and other Deputies hereinabove provided for shall be payable in equal monthly installments out of the general fund of the County or out of the county highway and traffic fund, whichever the county governing body may prescribe, and all travel expenses hereinabove provided for shall be paid each month from either of such funds in the county treasury upon presentation of claims therefor filed with the Court of County Commissioners of said County."

Section 2. This Act shall take effect only upon the approval by the voters of Elmore County of an Act enacted at the current session of the legislature entitled "An Act to change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such bases." If that Act is not approved as prescribed therein, this Act shall not have any effect.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bruce Jetton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, May 31, June 7, and June 14, all in the year 1962.

BRUCE JETTON.

Sworn to and subscribed before me June 15th, 1962.

JAMES A. NOBLE.
Title Notary Public.

Also:

By Messrs. Hanby and Copeland:

H. 102. To amend Section 1 of Act No. 158, H. 399, approved August 1, 1961 (Acts of Alabama 1961, p. 206) which act regulates the compensation of coroners in counties of not less than 96,000 nor more than 106,000 population, so as to authorize the payment of an expense allowance to the coroner in any such county.

Also:

By Messrs. Hanby and Copeland:

H. 103. To provide for the distribution and use of revenue received from the property tax levied as authorized by Amendment CCIII of the Constitution of Alabama 1901 in any county having a population of not less than 96,000 nor more than 106,000.

Also:

By Mr. Long (Lauderdale):

H. 105. To prohibit the governing bodies of all cities and towns of counties having populations of not less than 61,000 nor more than 65,000 from licensing certain businesses, trades, and professions outside the corporate limits of such cities and towns.

Also:

By Messrs. Bailey, Pierce, Goldthwaite and Goodwyn:

H. 109. Relating to taxation in counties having populations of not less than 150,000 nor more than 300,000; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

Also:

By Messrs. Goodwyn, Bailey, Pierce and Goldthwaite:

H. 110. Relating to counties having populations of not less than 140,000 nor more than 250,000; to provide the procedure for initiating complaints under Act No. 295, Special Session, 1961, approved September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940.

Also:

By Messrs. Brewer and Gilchrist:

H. 111. To amend the title and Section 1 of Act No. 541, H. 512, approved August 28, 1951 (Acts 1951, p. 953) which provides for the allocation of the duties of the chairman and members of the city commission in certain cities classified on a population basis.

Also:

By Messrs. Nichols and Camp:

H. 112. To authorize and provide for the establishment of a junior college to be located in any county having a population of not less than 65,000 nor more than 95,000 inhabitants; to create a board of trustees to govern such college; to authorize the board of trustees to select the location for such college, name it, appoint a president and certain other officers therefor, and prescribe rules and regulations to govern the college; to constitute the college a body corporate upon compliance with certain conditions; to authorize the board of trustees to accept gifts, donations, devises, and bequests; and to buy, hold, sell or otherwise dispose of real and personal property for and in the name of the college; to authorize the governing body of any such county and of

each incorporated municipality in any such county to make appropriations of public funds in aid of the college; to authorize the board of education of any such county and the board of education of any incorporated municipality therein to use public school funds in aid of such college and to provide transportation and certain other facilities to students attending the college; to exempt from taxation the property of the college; and to exempt officers and employees of the college from certain civil duties and from certain municipal privilege licenses.

Also:

By Mr. Hankins:

H. 116. Relating to counties having populations of not less than 13,900 nor more than 14,300; providing an additional deputy sheriff for such counties whose compensation shall be payable from the county highway and traffic fund.

Also:

By Messrs. Avery and Ramey:

H. 117. To apply only in counties of the state having populations of not less than 19,500 nor more than 20,000 inhabitants according to the last or any subsequent federal decennial census, to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 32, 11, 96, 97, 98, 99, 106, 107, 108, 100, 101, 102, 103, 105, 109, 110, 111, 116 and 117—to the Committee on Local Legislation.

H. B. 112—to the Committee on Finance and Taxation.

BILLS ON THIRD READING

The Bill:

H. 5. To make an additional appropriation for payment of expenses of the Legislature.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

AMENDMENT TO HOUSE BILL 5

Amend House Bill 5 by deleting in Section 1, line 2 the following:

“, or so much thereof as may be necessary,”

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Robison
Andrews	Dumas	Graham	Samford
Barnett	Eddins	Haltom	Shelton
Berryman	Farmer	Hines	Turner
Caffey	Gaither	Jones	Wilson
Cooper	Givhan	Kendall	Word
Crawford	Godfrey	Porter	Wyatt

—27

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Samford
Andrews	Eddins	Haltom	Shelton
Barnett	Farmer	Hines	Turner
Berryman	Gaither	Jones	Webb
Caffey	Givhan	Kendall	Wilson
Cooper	Godfrey	Porter	Word
Crawford	Golson	Robison	Wyatt

—27

Nays:

—0

The Bill:

S. 42. Relating to the office of solicitor of the Thirtieth Judicial Circuit; creating a solicitor's fund for the use of the circuit solicitor.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

Substitute for S. B. 42

A BILL
TO BE ENTITLED
AN ACT

Relating to the office of solicitor of the Thirtieth Judicial Circuit; creating a solicitor's fund for the use of the circuit solicitor.

Be It Enacted by the Legislature of Alabama:

Section 1. All circuit solicitors' fees imposed by the circuit court and hereafter collected in the Thirtieth Judicial Circuit under the provisions of Section 85 of Title 11, Code of Alabama 1940, as amended, shall be paid into the county treasury of the county where the fee is imposed and collected to the credit of a solicitor's fund to be used and expended as provided in Section 2.

Section 2. The circuit solicitor of the Thirtieth Judicial Circuit is hereby authorized to make requisitions on the solicitor's fund for the payment of any and all expenses incurred by him in the operation of his office and the proper discharge of his duties as he sees fit, including payment of a stenographer's salary not exceeding \$300 a month.

Section 3. The provisions of Code of Alabama 1940, Title 29, Section 251, as amended, in conflict with this Act are repealed as to all counties composing the Thirtieth Judicial Circuit of Alabama.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Samford
Barnett	Dumas	Haltom	Turner
Berryman	Eddins	Hines	Webb
Caffey	Farmer	Jones	Wilson
Clark	Gaither	Kendall	Word
Cooper	Godfrey	Porter	Wyatt
Crawford	Golson	Robison	

—26

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Shelton
Berryman	Eddins	Jones	Turner
Caffey	Farmer	Kendall	Webb
Cooper	Godfrey	Porter	Wilson
Crawford	Graham	Robison	Word
deGraffenried	Haltom	Samford	Wyatt

—23

Nays:

—0

The Bill:

S. 44. Proposing to amend Constitution of Alabama 1901 in relation to the distribution of certain state revenues and the right of exemptions or refunds.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 4.

Yeas:

Messrs.:	Crawford	Graham	Turner
Andrews	Eddins	Hines	Webb
Barnett	Farmer	Jones	Wilson
Berryman	Gaither	Kendall	Word
Clark	Godfrey	Porter	Wyatt
Cooper	Golson	Samford	

—22

Nays:

Messrs.:	Dumas	Haltom	Robison
Caffey			

—4

The Bill:

S. 45. Proposing an amendment to the Constitution of Alabama relative to the distribution of certain state funds among the several counties.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 5.

Yeas:

Messrs.:	deGraffenried	Golson	Samford
Andrews	Eddins	Graham	Turner
Barnett	Farmer	Hines	Webb
Berryman	Gaither	Jones	Wilson
Clark	Givhan	Kendall	Word
Cooper	Godfrey	Porter	Wyatt
Crawford			

—24

Nays:

Messrs.:	Dumas	Robison	Shelton
Caffey	Haltom		

—5

The Bill:

H. 4. To provide further for election of the chairman and members of the board of education of Autauga County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Rutledge
Andrews	Farmer	Hines	Samford
Barnett	Gaither	Jones	Shelton
Berryman	Givhan	Kendall	Turner
Caffey	Godfrey	Moses	Webb
Clark	Graham	Porter	Wilson
Dumas			

—24

Nays:

—0

The Bill:

H. 6. To make an appropriation from the county treasury of Calhoun County for the relief of M. S. Nelson.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gaither	Jones	Shelton
Berryman	Givhan	Kendall	Turner
Caffey	Godfrey	Moses	Webb
Clark	Golson	Porter	Wilson
Cooper	Graham	Robison	Word
Crawford	Hines	Samford	Wyatt
deGraffenried			

—24

Nays:

—0

The Bill:

H. 7. To authorize the City of Anniston, Alabama, to sell to Alabama Society for Crippled Children & Adults, a corporation, for its reasonable market value the following described real property, to-wit:

Beginning at the northeast corner of the intersection of Walnut Avenue with Thirteenth Street in the City of Anniston, Alabama; thence north along the east boundary line of Walnut Avenue a distance of 100 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street a distance of 50 feet to a point; thence south and parallel with the east boundary line of Walnut Avenue a distance of 40 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street, to a point on the west boundary line of Moore Avenue; thence south along the west boundary line of Moore Avenue a distance of 60 feet to its point of intersection with the north boundary line of Thirteenth Street; thence west

along the north boundary line of Thirteenth Street a distance of 150 feet to the point of beginning, said property being situated in the City of Anniston, Calhoun County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Eddins	Hines	Samford
Caffey	Givhan	Jones	Shelton
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Word
Crawford	Graham	Robison	Wyatt
deGraffenried			

—24

Nays:

—0

The Bill:

H. 8. To establish an inferior court to be called the Intermediate Civil Court of Calhoun County, Alabama; to provide for the judge, clerks and other officers, their selection and duties; to provide for the jurisdiction, practice and procedure of said court; to provide for the transfer of causes from said court to the circuit court; and to provide for appeals from said court and regulate the manner of taking same.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Samford
Andrews	Eddins	Jones	Shelton
Barnett	Farmer	Kendall	Turner
Berryman	Gaither	Porter	Webb
Caffey	Givhan	Robison	Word
Crawford	Haltom	Rutledge	Wyatt
deGraffenried			

—24

Nays:

—0

The Bill:

H. 18. To regulate further the feeding of prisoners in jail in all counties having populations of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census; to provide for retroactive effect of the provisions of this Act, and to validate the payment to the sheriffs of such counties certain allowances which may have heretofore been made to them for the feeding of prisoners in county jails, and for preparing and serving such food.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Godfrey	Rutledge
Andrews	Dumas	Haltom	Samford
Barnett	Eddins	Hines	Shelton
Berryman	Farmer	Jones	Turner
Caffey	Gaither	Kendall	Webb
Clark	Givhan	Robison	Wyatt
Cooper			

—24

Nays:

—0

The Bill:

H. 47. Relating to counties having populations of not less than 150,000 nor more than 300,000 inhabitants: To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Gaither	Hines	Samford
Caffey	Givhan	Jones	Webb
Clark	Godfrey	Kendall	Wilson
Cooper	Golson	Moses	Word
Crawford	Graham	Robison	Wyatt
deGraffenried			

—24

Nays:

—0

The Bill:

H. 48. Relating to cities having populations of not less than 100,000 nor more than 200,000 inhabitants: To provide for the payment of benefits to employees of any such city who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such city who are killed in the performance of their official duties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Golson	Robison
Andrews	deGraffenried	Graham	Turner
Barnett	Dumas	Haltom	Webb
Berryman	Farmer	Kendall	Wilson
Caffey	Givhan	Moses	Word
Clark	Godfrey	Porter	Wyatt
Cooper			

—24

Nays:

—0

The Bill:

H. 49. To repeal Act No. 627 of the 1961 Regular Session of the Legislature of Alabama proposing an amendment to the Constitution of Alabama relative to the levying of additional taxes for school purposes within Montgomery County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Golson	Porter	Word
Crawford	Graham	Robison	Wyatt
deGraffenried			

—24

Nays:

—0

The Bill:

H. 54. To authorize the appointment of additional deputies sheriff in counties having populations of not less than 32,000 nor more than 33,000 inhabitants; to provide for their compensation; to provide for retroactive effect of the provisions of this act; to validate the appointment of deputies sheriff which may have been heretofore made, the payment to them of compensation, and the acts of such appointees which may have been required in performance of their official duties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Moses	Webb
Clark	Graham	Porter	Wyatt
Crawford			

—24

Nays:

—0

The Bill:

S. 36. Relating to counties having populations of not less than 140,000 nor more than 250,000; to provide the procedure for initiating complaints under Act No. 295, Special Session, 1961, approved September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Word
Crawford	Graham	Robison	Wyatt
deGraffenried			

—24

Nays:

—0

The Bill:

S. 37. To fix the Salary of Deputy Circuit Solicitor No. 2 of the Sixth Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Moses	Webb
Clark	Godfrey	Porter	Wilson
deGraffenried			

—24

Nays:

—0

The Bill:

S. 38. Relating to inferior courts in counties having a population of not less than one hundred thousand nor more than one hundred fifteen

thousand inhabitants; increasing the jurisdiction of such inferior courts of such counties from \$300 to \$500 in civil cases and providing additional compensation for the judge of such courts beginning with his next term of office in January, 1963.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Samford
Andrews	Eddins	Hines	Shelton
Barnett	Farmer	Jones	Turner
Berryman	Gaither	Porter	Webb
Cooper	Golson	Robison	Word
Crawford	Graham	Rutledge	Wyatt
deGraffenried			

—24

Nays:

—0

The Bill:

S. 40. To define, regulate, and license barbers, barber colleges, and other like businesses in any and all counties having a population of not less than 61,000 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census, to create a barbers' commission for each county to which the Act applies; to fix the powers and duties of the commission; to transfer to the commission all rights, powers, duties and authority, together with all funds, property, books, papers, records and effects belonging to, and all obligations incurred by, each barbers' commission heretofore created or existing in each county to which this Act applies; and to prescribe penalties for violating the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Shelton
Andrews	Givhan	Kendall	Turner
Caffey	Godfrey	Moses	Webb
Clark	Golson	Porter	Wilson
Cooper	Graham	Robison	Word
Crawford	Haltom	Rutledge	Wyatt
deGraffenried			

—24

Nays:

—0

The Bill:

H. 62. Relating to counties having populations of not less than 54,000 nor more than 56,000; authorizing an appropriation from county funds for certain purposes.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Eddins	Hines	Samford	
Barnett	Gaither	Kendall	Shelton	
Clark	Godfrey	Moses	Wilson	
Cooper	Golson	Porter	Word	
Crawford	Graham	Robison	Wyatt	
deGraffenried				—24

Nays:

—0

The Bill:

H. 64. To fix the time of holding meetings of the court of county commissioners, board of revenue, or other like governing body in all counties having a population of not less than 51,000 nor more than 56,000 inhabitants, and to repeal Act 139, H. 337, approved August 1, 1961 (Acts of Alabama 1961, vol. I, p. 177) and all conflicting laws.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Shelton	
Andrews	Farmer	Jones	Turner	
Barnett	Gaither	Kendall	Webb	
Berryman	Golson	Robison	Wilson	
Caffey	Graham	Rutledge	Word	
deGraffenried	Haltom	Samford	Wyatt	
Dumas				—24

Nays:

—0

The Bill:

S. 32. To designate certain areas of Mobile Bay for the taking of seed oysters.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Caffey	Cooper	Dumas
Berryman	Clark	Crawford	Eddins

Farmer	Haltom	Porter	Turner
Gaither	Hines	Robison	Webb
Godfrey	Jones	Samford	Word
Golson	Kendall	Shelton	Wyatt
Graham			

—24

Nays:

—0

The Bill:

S. 20. Relating to taxation; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Crawford	Haltom	Samford
Andrews	deGraffenried	Hines	Shelton
Barnett	Dumas	Jones	Turner
Berryman	Farmer	Kendall	Webb
Caffey	Godfrey	Porter	Word
Clark	Golson	Robison	Wyatt
Cooper	Graham		

—25

Nays:

—0

The Bill:

S. 9. To amend Sections 1, 2, and 3 of Act No. 530, Acts of Alabama Regular Session 1949, Page 835, "Relating to public health; to regulate through licensure hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act", so as to include domiciliary institutions, homes for the aged, intermediate institutions, and related institutions.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 28; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Robison
Andrews	Dumas	Graham	Samford
Barnett	Eddins	Haltom	Shelton
Berryman	Farmer	Hines	Turner
Caffey	Gaither	Jones	Webb
Clark	Givhan	Kendall	Word
Cooper	Godfrey	Porter	Wyatt
Crawford			

—28

Nays:

—0

The Bill:

S. 10. To appropriate to the State Department of Public Health for the fiscal year ending September 30th, 1963, the additional sum of seven thousand five hundred dollars (\$7,500) for administering expanded licensure responsibilities pursuant to Senate Bill

was taken up.

The Standing Committee on Finance and Taxation offered the following substitute for the Bill, to-wit:

Substitute for Senate Bill 10

A BILL
TO BE ENTITLED
AN ACT

To appropriate to the State Department of Public Health for the fiscal year ending September 30th, 1963, the additional sum of seven thousand five hundred dollars (\$7,500) for administering expanded licensure responsibilities pursuant to Senate Bill 9.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the sums heretofore appropriated, there is hereby appropriated from the General Fund of the State Treasury the sum of seven thousand five hundred dollars (\$7,500) to the State Department of Public Health for the fiscal year ending September 30th, 1963. This appropriation is made to enable the State Department of Public Health to administer its expanded licensure responsibilities pursuant to Senate Bill 9.

Section 2. This Act shall become effective October 1, 1962.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Porter
Barnett	Dumas	Graham	Robison
Berryman	Eddins	Haltom	Samford
Caffey	Farmer	Hines	Shelton
Clark	Gaither	Jones	Turner
Cooper	Givhan	Kendall	Word
Crawford	Godfrey		

—25

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison	
Barnett	Dumas	Haltom	Samford	
Berryman	Eddins	Hines	Turner	
Caffey	Farmer	Jones	Webb	
Clark	Gaither	Kendall	Word	
Cooper	Godfrey	Porter	Wyatt	
Crawford	Golson			—25

Nays:

—0

The Bill:

S. 43. Relating to counties having populations of not less than 24,800 nor more than 25,400; providing clerical assistance for certain officers of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Eddins	Hines	Samford	
Barnett	Farmer	Jones	Shelton	
Berryman	Gaither	Kendall	Turner	
Caffey	Givhan	Moses	Webb	
Clark	Godfrey	Porter	Wyatt	
Cooper				—24

Nays:

—0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Porter, further consideration of the Bills, H. B.'s 71, 72, 73 and 74 was indefinitely postponed by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Fifth Legislative Day was approved by the Senate.

ADJOURNMENT

At 3:37 P.M., on motion of Mr. Robison, in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Friday, June 22, 1962 at 10:30 A.M.

SIXTH LEGISLATIVE DAY

FRIDAY, JUNE 22, 1962

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by Honorable Robert R. Berryman, Senator from the Second Senatorial District.

ROLL CALL

Present:

Messrs.:	deGraffenried	Graham	Robison
Andrews	Dumas	Haltom	Samford
Barnett	Eddins	Hines	Shelton
Berryman	Farmer	Jones	Turner
Caffey	Gaither	Kendall	Webb
Clark	Givhan	Leonard	Wilson
Cooper	Godfrey	Moses	Word
Crawford	Golson	Porter	

—30

JOURNAL

On motion of Mr. Wilson, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Rutledge, Roberts, and Wyatt for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 5. To make an additional appropriation for payment of expenses of the Legislature.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 5. To make an additional appropriation for payment of expenses of the Legislature.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 4. To provide further for election of the chairman and members of the board of education of Autauga County.

Also:

H. 6. To make an appropriation from the county treasury of Calhoun County for the relief of M. S. Nelson.

Also:

H. 7. To authorize the City of Anniston, Alabama, to sell to Alabama Society for Crippled Children & Adults, a corporation, for its reasonable market value the following described real property, to-wit:

Beginning at the northeast corner of the intersection of Walnut Avenue with Thirteenth Street in the City of Anniston, Alabama; thence north along the east boundary line of Walnut Avenue a distance of 100 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street a distance of 50 feet to a point; thence south and parallel with the east boundary line of Walnut Avenue a distance of 40 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street, to a point on the west boundary line of Moore Avenue; thence south along

the west boundary line of Moore Avenue a distance of 60 feet to its point of intersection with the north boundary line of Thirteenth Street; thence west along the north boundary line of Thirteenth Street a distance of 150 feet to the point of beginning, said property being situated in the City of Anniston, Calhoun County, Alabama.

Also:

H. 8. To establish an inferior court to be called the Intermediate Civil Court of Calhoun County, Alabama; to provide for the judge, clerks and other officers, their selection and duties; to provide for the jurisdiction, practice and procedure of said court; to provide for the transfer of causes from said court to the circuit court; and to provide for appeals from said court and regulate the manner of taking same.

Also:

H. 18. To regulate further the feeding of prisoners in jail in all counties having populations of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census; to provide for retroactive effect of the provisions of this Act, and to validate the payment to the sheriffs of such counties certain allowances which may have heretofore been made to them for the feeding of prisoners in county jails, and for preparing and serving such food.

Also:

H. 47. Relating to counties having populations of not less than 150,000 nor more than 300,000 inhabitants: To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

Also:

H. 48. Relating to cities having populations of not less than 100,000 nor more than 200,000 inhabitants: To provide for the payment of benefits to employees of any such city who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such city who are killed in the performance of their official duties.

Also:

H. 49. To repeal Act No. 627 of the 1961 Regular Session of the Legislature of Alabama proposing an amendment to the Constitution of Alabama relative to the levying of additional taxes for school purposes within Montgomery County.

Also:

H. 54. To authorize the appointment of additional deputies sheriff in counties having populations of not less than 32,000 nor more than 33,000 inhabitants; to provide for their compensation; to provide for retroactive effect of the provisions of this act; to validate the appointment of deputies sheriff which may have been heretofore made, the payment to them

of compensation, and the acts of such appointees which may have been required in performance of their official duties.

Also:

H. 62. Relating to counties having populations of not less than 54,000 nor more than 56,000; authorizing an appropriation from county funds for certain purposes.

Also:

H. 64. To fix the time of holding meetings of the court of county commissioners, board of revenue, or other like governing body in all counties having a population of not less than 51,000 nor more than 56,000 inhabitants, and to repeal Act 139, H. 337, approved August 1, 1961 (Acts of Alabama 1961, vol. 1, p. 177) and all conflicting laws.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolution, with the original Senate Bills and Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. 15. Relating to counties having populations of not less than 15,300 nor more than 15,400 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law; giving the act retroactive effect.

Also:

S. 16. To regulate the compensation of members of the county board of education in counties having populations of not less than 15,300 nor more than 15,400 inhabitants according to the 1960 federal decennial census; giving the Act retroactive effect.

Also:

S. 17. To provide for the employment of a deputy clerk in the office of the clerk of the circuit court in counties of not less than 15,300 nor more than 15,400 population according to the last or any subsequent federal decennial census, and giving the Act retroactive effect.

Also:

S. 18. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than 15,300 nor more than 15,400 according to the 1960 or any subsequent federal decennial census, and giving the act retroactive effect.

Also:

S. 21. Relating to cities having populations of not less than 100,000 nor more than 200,000 inhabitants: To provide for the payment of benefits to employees of any such city who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such city who are killed in the performance of their official duties.

Also:

S. 22. To repeal Act No. 627 of the 1961 Regular Session of the Legislature of Alabama proposing an amendment to the Constitution of Alabama relative to the levying of additional taxes for school purposes within Montgomery County.

Also:

S. 23. Relating to counties having populations of not less than 150,000 nor more than 300,000 inhabitants: To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

Also:

S. 25. To amend Sections 2, 5, and 7 of Act No. 317 adopted at the 1943 Regular Session of the Legislature of Alabama so as to make changes in the provisions thereof respecting the details and sales of securities by Wilcox County.

Also:

S. J. R. 4. Mourning death of Mrs. Mary Samford Wooten and extending sympathy to the family.

HUGH MOSES,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Webb:

S. 54. To appropriate from any funds in the State Treasury to the credit of the General Fund not otherwise appropriated, for the fiscal year ending September 30, 1962, the sum of \$175,000.00 for the purpose of constructing and equipping a recreational building at Gulf State Park and to further provide for such construction.

Committee on Finance and Taxation.

By Messrs. Turner and Wyatt:

S. 55. To create the office of deputy attorney general of Alabama.

Committee on Finance and Taxation.

By Messrs. Porter, Clark, Wilson, Crawford, Andrews, Berryman, Cooper, Eddins, Moses, Jones, Godfrey, Golson, Kendall, Leonard, Turner, Webb, Givhan, Hines and Gaither:

S. 56. Proposing to amend the Constitution of Alabama 1901 in relation to the distribution of profits derived by the state from the sale of alcoholic beverages.

Committee on Constitution, Constitutional Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

REPORTS OF COMMITTEES

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. deGraffenried:

S. 48. Relating to the Partlow State School for Mental Deficients; changing the name of such institution to Partlow State School and Hospital.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Johnson and Johnston (with notice and proof):

H. 100. To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

By Mr. Cook:

H. 11. To amend Act No. 409, H. 809, approved September 9, 1955, (Acts of Organizational—Special—Regular Sessions 1955, Vol. II, p. 954)

which relates to furnishing equipment, supplies, and additional clerks to the tax assessor and the tax collector of counties having a population of not less than 30,700 nor more than 31,400 inhabitants according to the decennial census of the United States of 1950, and having two court houses and a court of county commissioners:

Relating to counties having a population not less than 30,000 nor more than 34,000 inhabitants according to the last or any subsequent decennial census of the United States, and having two court houses and a court of county commissioners; providing for the furnishing of additional clerks to the tax assessor and the tax collector of such counties.

By Mr. Perry et al:

H. 32. To confer upon the Alabama Public Service Commission Exclusive authority and power to regulate the rates of and to supervise certain public utilities the operations of which are exempt, in whole or in part, from the provisions of the Alabama Motor Carrier Act of 1939, and which said utilities are engaged in business as common carriers of passengers for hire within counties having a population of 500,000 or more inhabitants according to the latest or any subsequent federal census.

By Mr. Bailey et al:

H. 109. Relating to taxation in counties having populations of not less than 150,000 nor more than 300,000; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

By Mr. Goodwyn et al:

H. 110. Relating to counties having populations of not less than 140,000 nor more than 250,000; to provide the procedure for initiating complaints under Act No. 295, Special Session, 1961, approved September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940.

By Mr. Hankins:

H. 116. Relating to counties having populations of not less than 13,900 nor more than 14,300; providing an additional deputy sheriff for such counties whose compensation shall be payable from the county highway and traffic fund.

By Mr. Bishop (with notice and proof):

H. 96. Relating to Colbert County; levying additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments and additions thereto; providing for the enforcement and collection of the taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; prescribing the purposes for which such proceeds may be used; and superseding Act No. 485, H. 1049, approved August 30, 1949 (Acts 1949, p. 704), the county sales and use tax law.

By Mr. Bishop (with notice and proof):

H. 97. To amend further Section 2 of Act No. 131, H. 333, Regular Session 1949, an act which created and established the board of revenue for Colbert County (Acts 1949, p. 157).

By Messrs. Johnson and Johnston (with notice and proof):

H. 101. To amend Act. No. 49, H. 213, Regular Session 1957, which provides for a Chief Deputy Sheriff and other Deputies Sheriff of Elmore County and regulates their compensation, allowances, and expenses (Acts 1957, vol. I, p. 92).

By Mr. Word (by request):

S. 50. To fix the time for opening and closing the polls in all counties having a population of not less than 110,000 nor more than 160,000 according to the last or any subsequent federal decennial census.

By Mr. Word (by request):

S. 52. To apply only in counties in the state having populations of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; to designate voting officials and to prescribe their duties in the conduct of all elections held in such counties.

By Mr. Bishop (with notice and proof):

H. 76. To permit any bank or branch bank doing business in Colbert County to establish in the City of Muscle Shoals, Alabama, one branch bank, branch agency, additional office or branch place of business in addition to all other branches, agencies, offices or places of business authorized by law, subject to the approval of the State Superintendent of Banks.

By Messrs. Brewer and Gilchrist:

H. 111. To amend the title and Section 1 of Act No. 541, H. 512, approved August 28, 1951 (Acts 1951, p. 953) which provides for the allocation of the duties of the chairman and members of the city commission in certain cities classified on a population basis.

By Mr. Porter:

S. 49. Relating to counties having populations of not less than 25,700 nor more than 25,950; to alter, rearrange and extend the corporate limits of certain towns within such counties.

By Messrs. Murphy, Engel, Rogers (Mobile) (with notice and proof):

H. 106. To amend the Title and Sections 1 and 2 of Act No. 839, H. 1516, of the 1961 Legislature, approved September 8, 1961, entitled "An Act to authorize and direct the county governing body of Mobile County to pay certain sums as supplementary pension payments to certain employees of the county entitled to retirement pay from sources to which the county has contributed."

By Messrs. Engel, Rogers (Mobile) and Murphy:

H. 107. To further amend Section 4 (a) of act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office

of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court" (Act No. 345, S. 291, 1955 Acts Vol. II, p. 783).

By Messrs. Avery and Ramey:

H. 117. To apply only in counties of the state having populations of not less than 19,500 nor more than 20,000 inhabitants according to the last or any subsequent federal decennial census, to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

BILLS ON THIRD READING

The Bill:

S. 47. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

was taken up.

Mr. Webb offered the following amendment to the Bill, to-wit:

Amendment to S. 47

In Section 3, second paragraph, on line 6 strike out "Covington" and insert "Limestone"

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Samford
Andrews	Farmer	Kendall	Shelton
Barnett	Gaither	Leonard	Turner
Berryman	Godfrey	Moses	Webb
Caffey	Graham	Porter	Wilson
deGraffenried	Haltom	Robison	Word
Dumas			

—24

Nays:

—0

On motion of Mr. Webb, further consideration of the Bill, S. B. 47 as amended, was postponed until the next Legislative Day.

The Bill:

H. 44. To apply in all counties of the State having a population of not less than 300,000 nor more than 500,000, according to the last or any

subsequent Federal decennial census; providing for the appointment of bailiffs for the Circuit Courts in such counties, prescribing their duties and regulating their compensation.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Samford
Andrews	Eddins	Hines	Shelton
Caffey	Farmer	Jones	Turner
Clark	Godfrey	Moses	Webb
Cooper	Golson	Porter	Wilson
Crawford	Graham	Robison	Word
deGraffenried			

—24

Nays:

—0

The Bill:

H. 67. Relating to cities having a population of not less than 200,000 nor more than 300,000, according to the last or any subsequent federal decennial census; providing for the appointment of an administrative assistant by the members of the city commission, council, or like governing body of any such city.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Samford
Andrews	Eddins	Hines	Shelton
Barnett	Farmer	Jones	Turner
Berryman	Gaither	Kendall	Webb
Caffey	Givhan	Leonard	Wilson
Crawford	Godfrey	Moses	Word
deGraffenried			

—24

Nays:

—0

The Bill:

H. 84. To permit any bank having its principal place of business in Houston County to establish, maintain, and operate, within the corporate limits or police jurisdiction of any incorporated municipality in which it does business, one or more branches or additional offices or places of business, subject to the approval of the state superintendent of banks.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Haltom	Porter
Andrews	deGraffenried	Hines	Robison
Barnett	Dumas	Jones	Samford
Berryman	Farmer	Kendall	Shelton
Caffey	Golson	Leonard	Turner
Clark	Graham	Moses	Webb
Cooper			

—24

Nays:

—0

The Bill:

H. 92. To authorize and provide for the creation of a public corporation in each county of the state which has a population of at least 250,000, but not more than 500,000 according to the last or any subsequent federal decennial census, to provide for, promote and encourage education on a college or university level and cultural and scientific opportunities for the inhabitants of the county; to provide for the selection of the members and board of directors thereof; to authorize and direct such board to become a public corporation; to prescribe the manner of effecting such corporation; to authorize and empower the corporation to enter into agreements with public educational bodies or any governmental agency or body for the purpose of carrying out its functions; to provide for the powers of such corporation, its continuation and dissolution; and to provide for the transfer to any corporation formed hereunder of the rights, powers, duties and assets of certain other public corporations, which are hereby abolished.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Caffey	Gaither	Kendall	Webb
Cooper	Givhan	Leonard	Wilson
Crawford	Golson	Porter	Word
deGraffenried			

—24

Nays:

—0

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the

Journal of the Senate for the Sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Sixth Legislative Day was approved by the Senate.

ADJOURNMENT

At 11:00 A.M., on motion of Mr. Cooper, the Senate adjourned until Tuesday, June 26, 1962, at 12 o'clock Noon.

SEVENTH LEGISLATIVE DAY

TUESDAY, JUNE 26, 1962

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by the Reverend Mark E. Waldo, Rector, (Episcopal) Church of the Ascension, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Leonard	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Word
Crawford	Graham	Robison	Wyatt
deGraffenried	Green		

—33

LEAVE OF ABSENCE

On motion of Mr. Samford, leave of absence was granted Mr. Roberts for today.

COMMUNICATION FROM SECRETARY OF STATE

The following certificate of election was read by the Secretary.

THE STATE OF ALABAMA
DEPARTMENT OF STATE

I, Bettye Frink, Secretary of State, of the State of Alabama, having custody of the Great and Principal Seal of said State, do hereby certify that the official returns of the special election held in Madison County on June 21, 1962, for the office of Senator from the Fourth Senatorial District of Alabama, certified to me by the Board of Supervisors, of Madison County, reveal that BILLY LAXSON received a majority of the votes cast in said election and is therefore the duly elected Senator from the Fourth Senatorial District.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in the City of Montgomery, this 25th day of JUNE One Thousand Nine Hundred and SIXTY-TWO.

BETTYE FRINK,
Secretary of State.

ALABAMA GREAT SEAL

OATH OF OFFICE

Upon the request of the President and Presiding Officer of the Senate, Honorable Albert Boutwell, the Senator-Elect came forward, presented his credentials, and Lieutenant Governor Albert Boutwell administered to Billy Laxson the oath of office prescribed by the Constitution of the State, and the Senator-Elect subscribed his name to the oath as follows:

OATH OF OFFICE

"I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama so long as I continue a citizen thereof, and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter to the best of my ability. So help me God."

BILLY LAXSON.

JOURNAL

On motion of Mr. Laxson, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

ANNOUNCEMENT OF COMMITTEE APPOINTMENTS

The President and Presiding Officer of the Senate announced the following Committee assignments for Honorable Billy Laxson, Senator from the Fourth District:

Vice Chairman, Privileges and Elections, and member of Judiciary, Constitution, Constitutional Revision and Amendments, Finance and Taxation and Temperance Committees.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Dumas:

S. 57. To create a Local Government Commission in each county in the State having a population of 500,000 or more, according to the 1960 or any succeeding decennial Federal census, to provide for the membership, organization, functions, powers and duties of such Commission, to provide for the financing of such Commission's work by appropriation from the County and each municipality therein, and the receipt by the Commission of donations, to provide for the submission of recommended municipal mergers, annexations or changes in form of government to a vote of the qualified voters affected thereby, and in the event of a favorable vote, the effectuation of such mergers, annexations or changes in form of government, and to provide for advisory referenda.

Committee on Local Legislation.

By Messrs. Dumas and Caffey:

S. 58. To provide further for nominations by political parties of candidates for election to the legislature; confirming and continuing certain nominations made in the party primary elections or party meetings in May 1962; authorizing, providing for and regulating special party primary elections and mass, beat, or other party meetings under certain conditions for the purpose of nominating certain of such candidates; and placing special duties on the secretary of state.

Committee on Judiciary.

By Mr. Graham:

S. 59. To amend further Code of Alabama 1940, Title 18, Section 112, so as to create the 34th judicial circuit.

Committee on Finance and Taxation.

By Mr. Cooper:

S. 60. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 18,000 nor more than 19,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Committee on Local Legislation.

By Messrs. Cooper, Samford, Graham, Givhan, Turner, Rutledge, Crawford, Clark, Barnett, Moses and Kendall:

S. 61. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Committee on Finance and Taxation.

By Mr. Eddins:

S. 62. To abolish the City Court of Demopolis, an inferior court established in lieu of justices of the peace for the Demopolis precinct, Marengo County, and to reestablish the office of justice of the peace in that

precinct; providing for the election or appointment of two justices of the peace for the precinct, and prescribing their jurisdiction, powers, and duties.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MARENGO

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To abolish the City Court of Demopolis, an inferior court established in lieu of justices of the peace for the Demopolis precinct, Marengo County, and to reestablish the office of justice of the peace in that precinct; providing for the election or appointment of two justices of the peace for the precinct, and prescribing their jurisdiction, powers and duties.

Be It Enacted by the Legislature of Alabama:

Section 1. The City Court of Demopolis, an inferior court established in and for Demopolis precinct, Marengo County, by Act No. 304, S. 430, approved September 26, 1903 (Local Acts 1903, p. 366), is hereby abolished.

Section 2. In lieu of the City Court of Demopolis there shall be elected or appointed as provided by general laws two justices of the peace for the Demopolis precinct, who shall have all the jurisdiction, powers, and duties of justices of the peace as prescribed by Chapter 8 of Title 13, Code of Alabama 1940, as heretofore or hereafter amended. These justices may exercise jurisdiction in all cases, causes, matters, or proceedings cognizable in justice courts under the general laws of Alabama or local or special laws applicable to Marengo County only.

Section 3. All cases, causes of action and judgments pending in the City Court of Demopolis on the effective date of this Act shall be transferred to the court of one or the other of the justices provided for in Section 2, as prescribed in Code of Alabama 1940, Title 13, Section 393.

Section 4. Act No. 304 of September 26, 1903, and all acts amendatory thereof are hereby expressly repealed.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall take effect on the first day of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ben G. George, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Demopolis Times, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 31, June 7, June 14, and June 21, all in the year 1962.

BEN G. GEORGE.

Sworn to and subscribed before me June 22, 1962.

JEROME M. LEVY,
Title Notary Public.

By Mr. Godfrey:

S. 63. To amend Section 216 of Title 52, Code of Alabama, 1940, which relates to purposes for which warrants may be issued.

Committee on Education.

By Mr. Moses:

S. 64. Relating to the municipality of Hamilton, in Marion County, Alabama: To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Hamilton, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the municipality of Hamilton, in Marion County, Alabama: To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Hamilton, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Hamilton in Marion County, Alabama, are hereby altered, re-arranged, and extended to include

within the corporate limits of said Town of Hamilton, Alabama, the following described territory, situated in Marion County, Alabama, to-wit:

SW $\frac{1}{4}$ of Section 31, Township 10, Range 13; S $\frac{1}{2}$ of SE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 25; All of Section 36; all in Township 10, Range 14; All of Section 1; All of Section 2, East of Buttahatchee River; N $\frac{1}{2}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$, W $\frac{1}{2}$ of NW $\frac{1}{4}$, West of River, Section 11; all in Township 11, Range 14.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared S. L. Masdon, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County Star, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 31, June 7, June 14, and June 21, all in the year 1962.

S. L. MASDON, JR.

Sworn to and subscribed before me June 23, 1962.

ROBERT H. THOMAS,
Title Notary Public State of Alabama at Large.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Callahan:

H. 114. Providing and to provide for the taking of depositions in connection with any controversy, suit, case, cause or proceeding pending or to be tried in any court of record in counties in Alabama having a population of not less than 100,000 people nor more than 115,000 people according to the 1960 or any subsequent Federal census of witnesses and parties for discovery or evidence in any controversy, suit, case, proceeding or cause at law or in equity contemplated or provided by Act 375 of Acts of Alabama of 1955, 1955 Acts of Alabama, Page 901, et sequitur, or any amendment thereof or thereto, or to which the provisions thereof are made applicable by other laws of Alabama, by Commissioners; fixing the power and authority of such Commissioners to take such depositions and conduct hearings therefor and to issue subpoenas and subpoenas duces tecum to witnesses and parties for the purpose of taking such depositions, providing for the compensation of such witnesses and parties and fixing the schedule of fees for such Commissioners for taking and certifying such depositions and providing for the taxing of such fees as costs.

Also:

By Messrs. Rogers (Mobile), Engel and Murphy:

H. 122. To extend, alter and rearrange the boundaries of the Town of Mount Vernon, so as to extend the corporate limits thereof.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To extend, alter and rearrange the boundaries of the Town of Mount Vernon, so as to extend the corporate limits thereof.

Be It Enacted by the Legislature of Alabama:

Section I—That the boundaries of the Town of Mount Vernon are hereby altered and rearranged and are defined as follows, and the corporate limits of the Town of Mount Vernon are hereby extended so as to include the entire area within the following boundaries, to-wit:

Beginning at the Southwest corner of Section 44, Township 2 North, Range 1 East; thence run North to the Northwest corner of the Southwest Quarter of the Southwest Quarter; thence run East to the Northeast corner of the Southwest Quarter of the Southwest Quarter; thence run North to the Northwest corner of the Northeast Quarter of the Northwest Quarter of Section 44; thence run East to the Northeast corner of the Northeast Quarter of the Northwest Quarter of Section 44, Township 2 North, Range 1 East; thence run North to the Northwest corner of the Northwest Quarter of the Southeast Quarter of Section 43, Township 2 North, Range 1 East; thence run East to the Northeast corner of the Northeast Quarter of the Southeast Quarter of Section 43; thence run South to the Southeast corner of Section 43, Township 2 North, Range 1 East; thence run East to the Northeast corner of the Northwest Quarter of the Northwest Quarter of Section 45, Township 2 North, Range 1 East; thence run South to the Southeast corner of the Southwest Quarter of the Southwest Quarter of Section 49, Township 2 North, Range 1 East; thence run West to the Northwest corner of the Northeast Quarter of the Northeast Quarter, Section 6, Township 1 North, Range 1 East; thence run South to the Southwest corner of the Northeast Quarter of the Northeast Quarter, Section 6 Township 1 North, Range 1 East; thence run East to the Northeast corner of the Southeast Quarter of the Northeast Quarter of Section 6; thence run South to the Southeast corner of the Southeast Quarter of the Northeast Quarter of Section 6; thence run West to the Southwest corner of the Southeast Quarter of the Northwest Quarter of Section 6; thence run South to the Southeast corner of the Northwest Quarter of the Southwest Quarter of Section 6; thence run West to the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 6; thence run North to the Northwest corner of Section 6, Township 1 North Range 1 East; which corner is the Southwest corner of Section 44, Township 2 North, Range 1 East, and the point of beginning.

Section II—That all laws and parts of laws, general, local or special,

in conflict with the provisions of this Act be and the same are hereby repealed.

Section III—This Act shall become effective immediately upon its passage and approval by the governor, or upon its becoming a law.

W. F. EGAN being sworn, says that he is COMPTROLLER of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Press, May 28, June 4, 11, 18, 1962.

W. F. EGAN.

Sworn to and subscribed before me this 19 day of June, 1962.

DAN E. MILLER, JR.,
Notary Public.

Also:

By Mr. Self:

H. 123. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 20,500 nor more than 21,850 according to the last or any subsequent federal decennial census.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 114 and 122 — to the Committee on Local Legislation.

H. B. 123 — to the Committee on Finance and Taxation.

RECESS

At 12:25 P.M., on motion of Mr. Andrews, the Senate took a recess until 2:30 P.M. this afternoon.

AFTERNOON SESSION SEVENTH LEGISLATIVE DAY TUESDAY, JUNE 26, 1962

The Senate re-assembled at 2:30 P.M., Lieutenant Governor Boutwell presiding.

ROLL CALL

Present:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Laxson	Webb
Clark	Godfrey	Leonard	Wilson
Cooper	Golson	Moses	Word
Crawford	Graham	Porter	Wyatt
deGraffenried	Green	Robison	

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RECESS

At 2:32 P.M., on motion of Mr. Andrews, the Senate took a recess until 3:02 P.M. this afternoon.

The recess period having expired, the Senate was called to order by Lieutenant Governor Boutwell, President and Presiding Officer of the Senate.

ROLL CALL

Present:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Laxson	Webb
Clark	Godfrey	Leonard	Wilson
Cooper	Golson	Moses	Word
Crawford	Graham	Porter	Wyatt
deGraffenried	Green	Robison	

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POINT OF ORDER

Mr. Haltom raised the point of order that under Joint Rule 1 the reading of Messages from the House takes precedence over all other business.

Mr. Andrews moved that the Senate take a recess until 3:45 this afternoon.

The President and Presiding Officer of the Senate sustained the point of order raised by Mr. Haltom.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Merrill and Albea:

H. 124. To amend Act No. 833, H. 1498, approved September 8, 1961, which levies a privilege or license tax upon the sale, distribution, delivery,

storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in counties having populations of not less than 80,000 and not more than 96,000 according to the last or any subsequent federal decennial census, and provides for the collection and enforcement of such tax, so as to provide for the use of tax stamps in the collection of the tax and to authorize and provide for the seizure and confiscation of any malt or brewed beverage hereby taxed on which the tax has not been paid and tax stamps affixed pursuant to this Act by any law enforcement officer of the county, of any municipality in the county, or of the state.

Also:

By Messrs. McCorquodale and Dunn:

H. 126. Relating to counties having populations of not less than 25,700 nor more than 25,950; to alter, rearrange and extend the corporate limits of certain towns within such counties.

Also:

By Mr. Self:

H. 128. To apply only in counties having populations of not less than 21,800 nor more than 21,850 according to the last or any subsequent federal decennial census; to provide for the uniform operation of school terms for all public schools within such counties.

Also:

By Mr. Self:

H. 129. To apply only in counties having populations of not less than 21,800 nor more than 21,850; to prescribe qualifications, compensation and duties of members of the county board of education.

Also:

By Mr. Goodwyn:

H. 131. To validate the incorporation of municipalities attempted to be organized in territory of less than 1,000 inhabitants, in which in any election held for the purpose of incorporation, since June 30, 1961, a majority of the electors participating in said election voted in favor of incorporation, but which election may have been irregular because of failure to comply with requirements as to publication or posting or any other procedures required by law.

Also:

By Mr. Ferguson:

H. 132. Providing that in any county having a population of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census, it shall be unlawful for any person to go upon or remain upon the lands, buildings or premises of another or any part, portion, or area thereof after having been forbidden to do so either orally or in writing by the owner, lessee, custodian, or other person in possession thereof, his agent or representative or after having been for-

bidden to do so by a written legible sign or signs posted on such lands, buildings or premises at a place or places where such sign or signs are visible, and to fix the punishments for a violation of this Act.

Also:

By Mr. Ferguson:

H. 133. Providing that in any county having a population of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census, it shall be unlawful for any person to enter, or attempt to enter, any church of which he is not a member while religious services are in progress therein after having been requested not to enter or attempt to enter said church by any member, usher, minister or preacher of said church, or to fail to leave or vacate said church of which he is not a member after such service has begun therein when requested to do so by any member, usher or preacher or minister of said church, and to provide and prescribe punishment for violation of this Act.

Also:

By Messrs. Ferguson and Callahan:

H. 134. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 100,000 nor more than 110,000 according to the last or any subsequent federal decennial census.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 124, 126, 128, 129, 131, 132 and 133 — to the Committee on Local Legislation.

H. B. 134—to the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Messrs. Bevill, Shumate, Gilchrist, Hanby, and Oden:

H. 59. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 59—to the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Messrs. Sessions and Perry:

H. 75. TO PROVIDE THAT IN ANY CITY OF THE STATE HAVING A POPULATION OF 300,000 OR MORE ACCORDING TO THE LAST OR ANY SUBSEQUENT FEDERAL CENSUS IT SHALL BE UNLAWFUL FOR ANY MEMBER OF THE GOVERNING BODY, OR OFFICER OR EMPLOYEE OF THE CITY TO BE DIRECTLY OR INDIRECTLY INTERESTED IN ANY WORK, BUSINESS OR CONTRACT, THE EXPENSE, PRICE OR CONSIDERATION OF WHICH IS PAID FROM THE TREASURY OF THE CITY; TO PROVIDE THAT IN ANY SUCH CITY NO MEMBER OF ANY COMMITTEE, BOARD OR BOARD OF MANAGERS, TRUSTEES OR DIRECTORS CONTAINING ONE OR MORE MEMBERS APPOINTED BY THE GOVERNING BODY OF THE CITY, OR ONE OR MORE MEMBERS WHOSE APPOINTMENT IS SUBJECT TO THE APPROVAL OF THE SAID GOVERNING BODY, OR ANY OFFICER OR EMPLOYEE OF THE CITY WHO IS AN EX OFFICIO MEMBER OF THE SAID COMMITTEE OR BOARD, SHALL BE DIRECTLY OR INDIRECTLY INTERESTED IN ANY WORK, BUSINESS OR CONTRACT, THE EXPENSE, PRICE OR CONSIDERATION OF WHICH IS PAID FROM THE FUNDS OVER WHICH SUCH COMMITTEE OR BOARD HAS JURISDICTION OR WHICH SUCH COMMITTEE OR BOARD ADMINISTERS, AND TO PROVIDE THAT NO MEMBER OF ANY SUCH COMMITTEE OR BOARD SHALL BE DIRECTLY OR INDIRECTLY INTERESTED IN FURNISHING ANY WORK, MATERIALS, SUPPLIES, SERVICES OR ANYTHING WHICH IS THE SUBJECT OF A CONTRACT MADE BY THE COMMITTEE OR BOARD; TO PROVIDE THAT MEMBERSHIP ON ANY SUCH COMMITTEE OR BOARD SHALL NOT RESULT IN IT BEING UNLAWFUL FOR A MEMBER OF THE COMMITTEE OR BOARD TO BE INTERESTED IN ANY WORK FOR, OR BUSINESS OR CONTRACT WITH, ANY SUCH CITY, PROVIDED THE SAID COMMITTEE OR BOARD DOES NOT AUTHORIZE THE SAID WORK, BUSINESS OR CONTRACT; TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR ANY MEMBER OF THE GOVERNING BODY OR ANY OFFICER OF ANY SUCH CITY TO BE SURETY FOR ANY PERSON HAVING A CONTRACT, WORK OR BUSINESS WITH THE CITY FOR THE PERFORMANCE OF WHICH A SURETY MAY BE REQUIRED; TO PROVIDE THAT IT SHALL BE

UNLAWFUL FOR A MEMBER OF ANY SUCH COMMITTEE OR BOARD TO BE A SURETY FOR ANY PERSON HAVING A CONTRACT, WORK OR BUSINESS WITH THE COMMITTEE OR BOARD FOR THE PERFORMANCE OF WHICH A SURETY MAY BE REQUIRED; TO PROVIDE THAT MEMBERSHIP ON ANY SUCH COMMITTEE OR BOARD SHALL NOT RESULT IN IT BEING UNLAWFUL FOR A MEMBER OF SUCH COMMITTEE OR BOARD TO BE A SURETY FOR PERSONS HAVING A CONTRACT, WORK OR BUSINESS WITH THE CITY FOR THE PERFORMANCE OF WHICH A SURETY MAY BE REQUIRED PROVIDED THE COMMITTEE OR BOARD DOES NOT AUTHORIZE THE SAID CONTRACT, WORK OR BUSINESS; AND TO REPEAL ALL LAWS OR PARTS OF LAWS IN CONFLICT WITH THE PROVISIONS OF THIS ACT; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THIS ACT.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 75—to the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 31. To authorize and provide for the creation of a public corporation in each county of the state which has a population of at least 250,000, but not more than 500,000 according to the last or any subsequent federal decennial census, to provide for, promote and encourage education on a college or university level and cultural and scientific opportunities for the inhabitants of the county; to provide for the selection of the members and board of directors thereof; to authorize and direct such board to become a public corporation; to prescribe the manner of effecting such corporation; to authorize and empower the corporation to enter into agreements with public educational bodies or any governmental agency or body for the purpose of carrying out its functions; to provide for the powers of such corporation, its continuation and dissolution; and to provide for the transfer to any corporation formed hereunder of the rights, powers, duties and assets of certain other public corporations, which are hereby abolished.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 44. To apply in all counties of the State having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census; providing for the appointment of bailiffs for the Circuit Courts in such counties, prescribing their duties, and regulating their compensation.

Also:

H. 67. Relating to cities having a population of not less than 200,000 nor more than 300,000, according to the last or any subsequent federal decennial census; providing for the appointment of an administrative assistant by the members of the city commission, council, or like governing body of any such city.

Also:

H. 84. To permit any bank having its principal place of business in Houston County to establish, maintain, and operate, within the corporate limits or police jurisdiction of any incorporated municipality in which it does business, one or more branches or additional offices or places of business, subject to the approval of the state superintendent of banks.

Also:

H. 92. To authorize and provide for the creation of a public corporation in each county of the state which has a population of at least 250,000, but not more than 500,000 according to the last or any subsequent federal decennial census, to provide for, promote and encourage education on a college or university level and cultural and scientific opportunities for the inhabitants of the county; to provide for the selection of the members and board of directors thereof; to authorize and direct such board to become a public corporation; to prescribe the manner of effecting such corporation; to authorize and empower the corporation to enter into agreements with public educational bodies or any governmental agency or body for the purpose of carrying out its functions; to provide for the powers of such corporation, its continuation and dissolution; and to provide for the transfer to any corporation formed hereunder of the rights, powers, duties and assets of certain other public corporations, which are hereby abolished.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 17. Relative to the death of the Honorable Lemuel Jackson Cobb, former member of both houses of the Legislature of Alabama.

Also:

H. J. R. 18. Relative to naming the new girls' dormitory at Troy State College the "Catherine Collins Gardner Dormitory".

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Pruitt:

H. J. R. 19. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Wednesday, June 27, 1962, and when they adjourn on Wednesday, they adjourn to meet again on Thursday, June 28, 1962, and when they adjourn on Thursday, they adjourn to meet again on Friday, June 29, 1962.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Resolution, H. J. R. 19, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Golson and Shelton:

S. 65. To provide for the construction of a bridge by the State Highway Department under certain described circumstances.

Committee on Public Roads and Highways.

By Messrs. Golson, Barnett and Moses:

S. 66. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

Committee on Constitution, Constitutional Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

RECESS

At 3:21 P.M., on motion of Mr. Andrews, the Senate took a recess until 4:00 o'clock this afternoon.

The recess period having expired, the Senate was called to order by Lieutenant Governor Boutwell, President and Presiding Officer of the Senate.

ROLL CALL

Present:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Laxson	Webb
Clark	Godfrey	Leonard	Wilson
Cooper	Golson	Moses	Word
Crawford	Graham	Porter	Wyatt
deGraffenried	Green	Robison	

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REPORTS OF COMMITTEES

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Guthrie:

H. 99. To provide an allowance for expenses to the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000.

By Messrs. Hanby and Copeland:

H. 102. To amend Section 1 of Act No. 158, H. 399, approved August 1, 1961 (Acts of Alabama 1961, p. 206) which act regulates the compensation of coroners in counties of not less than 96,000 nor more than 106,000 population, so as to authorize the payment of an expense allowance to the coroner in any such county.

By Messrs. Hanby and Copeland:

H. 103. To provide for the distribution and use of revenue received

from the property tax levied as authorized by Amendment CCIII of the Constitution of Alabama 1901 in any county having a population of not less than 96,000 nor more than 106,000.

MOTION IN WRITING

Mr. Caffey offered the following Motion in Writing, to-wit:

"I hereby move that the Senate as a whole direct the Local Legislation Committee of this body to act upon House Bill 42 by Messrs. Rogers (Mobile), Engel and Murphy."

/s/ Caffey.

Which was adopted.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Wyatt, further consideration of the Bill, S. B. 41, was indefinitely postponed by the Senate.

BILLS ON THIRD READING

The Bill:

H. 46. To amend Section 19 of Act No. 678, H. 1364, approved September 8, 1961, General Acts of Alabama 1961, Page 952, entitled "An Act regulating the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students and apprentices; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof in all counties having a population of not less than 300,000 nor more than 500,000 inhabitants according to the last or any subsequent federal decennial census."

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Jones	Shelton
Caffey	Godfrey	Laxson	Turner
Clark	Golson	Leonard	Webb
Cooper	Graham	Moses	Wilson
Crawford	Green	Porter	Word
deGraffenried	Haltom	Robison	Wyatt
Dumas			

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Nays:

—0

The Bill:

H. 77. To provide clerical assistance for the circuit solicitors of cir-

cuits composed of one county having a population of not less than 42,000 nor more than 46,000.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Shelton
Berryman	Givhan	Laxson	Turner
Caffey	Godfrey	Leonard	Webb
Clark	Golson	Moses	Wilson
Cooper			

—24

Nays:

—0

The Bill:

H. 78. Relating to counties having populations of not less than 42,000 nor more than 46,000; providing for increases in pay of deputy sheriffs of such counties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Shelton
Berryman	Graham	Laxson	Turner
Crawford	Green	Porter	Word
deGraffenried	Haltom	Robison	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 79. To authorize and provide for the payment out of the county treasury of the county composing such judicial circuit of a monthly allowance for expenses incurred in the conduct and maintenance of his office and in the proper and efficient performance and discharge of his duties to each circuit judge in every judicial circuit composed of one county having a population of not less than 42,000 nor more than 46,000 inhabitants, according to the last, or any subsequent, federal decennial census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Shelton
Berryman	Givhan	Laxson	Turner
Caffey	Godfrey	Leonard	Webb
Clark	Golson	Moses	Wilson
Cooper			

—24

Nays:

—0

The Bill:

H. 91. Relating to counties having populations of not less than 42,000 nor more than 46,000 according to the last or any subsequent federal decennial census; to authorize county governing bodies to provide for payment of additional expense and clerk hire allowances to certain county officers.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Hines	Rutledge
Caffey	Godfrey	Laxson	Turner
Clark	Golson	Leonard	Webb
Cooper	Graham	Moses	Wilson
Crawford	Green	Porter	Word
deGraffenried	Haltom	Robison	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 100. To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Barnett	Crawford	Dumas
Andrews	Berryman	deGraffenried	Eddins

Farmer	Hines	Porter	Shelton
Gaither	Jones	Robison	Wilson
Graham	Kendall	Rutledge	Word
Green	Laxson	Samford	Wyatt
Haltom			

—24

Nays:

—0

The Bill:

H. 11. To amend Act No. 409, H. 809, approved September 9, 1955, (Acts of Organizational—Special—Regular Sessions 1955, Vol. II, p. 954) which relates to furnishing equipment, supplies, and additional clerks to the tax assessor and the tax collector of counties having a population of not less than 30,700 nor more than 31,400 inhabitants according to the decennial census of the United States of 1950, and having two court houses and a court of county commissioners:

Relating to counties having a population not less than 30,000 nor more than 34,000 inhabitants according to the last or any subsequent decennial census of the United States, and having two court houses and a court of county commissioners; providing for the furnishing of additional clerks to the tax assessor and the tax collector of such counties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Golson	Moses
Andrews	Eddins	Hines	Rutledge
Barnett	Farmer	Jones	Samford
Berryman	Gaither	Kendall	Shelton
Caffey	Givhan	Laxson	Turner
Clark	Godfrey	Leonard	Webb
Cooper			

—24

Nays:

—0

The Bill:

H. 32. To confer upon the Alabama Public Service Commission exclusive authority and power to regulate the rates of and to supervise certain public utilities the operations of which are exempt, in whole or in part, from the provisions of the Alabama Motor Carrier Act of 1939, and which said utilities are engaged in business as common carriers of passengers for hire within counties having a population of 500,000 or more inhabitants according to the latest or any subsequent federal census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Shelton
Berryman	Graham	Moses	Wilson
Crawford	Green	Porter	Word
deGraffenried	Haltom	Robison	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 109. Relating to taxation in counties having populations of not less than 150,000 nor more than 300,000; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Robison
Andrews	Farmer	Jones	Rutledge
Barnett	Gaither	Kendall	Samford
Berryman	Givhan	Laxson	Shelton
Caffey	Godfrey	Leonard	Turner
Clark	Golson	Moses	Webb
Cooper			

—24

Nays:

—0

The Bill:

H. 110. Relating to counties having populations of not less than 140,000 nor more than 250,000; to provide the procedure for initiating complaints under Act No. 295, Special Session, 1961, approved September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gaither	Haltom	Shelton
Caffey	Givhan	Laxson	Turner
Clark	Godfrey	Leonard	Webb
Cooper	Golson	Moses	Wilson
Crawford	Graham	Porter	Word
deGraffenried	Green	Robison	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 116. Relating to counties having populations of not less than 13,900 nor more than 14,300; providing an additional deputy sheriff for such counties whose compensation shall be payable from the county highway and traffic fund.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Jones	Shelton
Caffey	Godfrey	Laxson	Turner
Clark	Golson	Leonard	Webb
Cooper	Graham	Moses	Wilson
Crawford	Green	Porter	Word
deGraffenried	Haltom	Robison	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 96. Relating to Colbert County; levying additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments and additions thereto; providing for the enforcement and collection of the taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; prescribing the purposes for which such proceeds may be used; and superseding Act No. 485, H. 1049, approved August 30, 1949 (Acts 1949, p. 704), the county sales and use tax law.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Shelton
Berryman	Givhan	Laxson	Turner
Caffey	Godfrey	Leonard	Webb
Clark	Golson	Moses	Wilson
Cooper			

—24

Nays:

—0

The Bill:

H. 97. To amend further Section 2 of Act No. 131, H. 333, Regular Session 1949, an act which created and established the board of revenue for Colbert County (Acts 1949, p. 157).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Kendall	Rutledge
Caffey	Godfrey	Laxson	Turner
Clark	Golson	Leonard	Webb
Cooper	Graham	Moses	Wilson
Crawford	Green	Porter	Word
deGraffenried	Haltom	Robison	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 101. To amend Act No. 49, H. 213, Regular Session 1957, which provides for a Chief Deputy Sheriff and other Deputies Sheriff of Elmore County and regulates their compensation, allowances, and expenses (Acts 1957, vol. I, p. 92).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Shelton
Berryman	Graham	Leonard	Wilson
Crawford	Green	Porter	Word
deGraffenried	Haltom	Robison	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

S. 50. To fix the time for opening and closing the polls in all counties having a population of not less than 110,000 nor more than 160,000 according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Shelton
Berryman	Givhan	Laxson	Turner
Caffey	Godfrey	Leonard	Webb
Clark	Golson	Moses	Word
Cooper			

—24

Nays:

—0

The Bill:

S. 52. To apply only in counties in the state having populations of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; to designate voting officials and to prescribe their duties in the conduct of all elections held in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Laxson	Shelton
Caffey	Godfrey	Leonard	Turner
Clark	Golson	Moses	Webb
Cooper	Graham	Porter	Wilson
Crawford	Green	Robison	Word
deGraffenried	Haltom	Rutledge	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 111. To amend the title and Section 1 of Act No. 541, H. 512, approved August 28, 1951 (Acts 1951, p. 953) which provides for the allocation of the duties of the chairman and members of the city commission in certain cities classified on a population basis.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Barnett	Caffey	Cooper
Andrews	Berryman	Clark	Eddins

Farmer	Hines	Leonard	Shelton	
Gaither	Jones	Moses	Turner	
Givhan	Kendall	Rutledge	Webb	
Godfrey	Laxson	Samford	Wilson	
Golson				—24

Nays:

—0

The Bill:

S. 49. Relating to counties having populations of not less than 25,700 nor more than 25,950; to alter, rearrange and extend the corporate limits of certain towns within such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Hines	Shelton	
Caffey	Godfrey	Laxson	Turner	
Clark	Golson	Leonard	Webb	
Cooper	Graham	Moses	Wilson	
Crawford	Green	Porter	Word	
deGraffenried	Haltom	Robison	Wyatt	
Dumas				—24

Nays:

—0

The Bill:

H. 117. To apply only in counties of the state having populations of not less than 19,500 nor more than 20,000 inhabitants according to the last or any subsequent federal decennial census, to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge	
Andrews	Farmer	Jones	Samford	
Barnett	Gaither	Kendall	Shelton	
Berryman	Graham	Moses	Wilson	
Crawford	Green	Porter	Word	
deGraffenried	Haltom	Robison	Wyatt	
Dumas				—24

Nays:

—0

RESOLUTION

Mr. Samford offered the following Senate Joint Resolution, to-wit:

S. J. R. 5. WHEREAS, the Honorable Aubrey DeWitt Green has rendered outstanding service to this State as a member of the Legislature; and

WHEREAS Senator Green has brought honor and good will to Alabama through his participation and active leadership in the Lions Club, having served as President of the York Lions Club, as District Governor, as a member of the Board of Directors, as Third Vice President and Second Vice President of Lions International; and,

WHEREAS Senator Green has been recently elected First Vice President of Lions International, bringing further honor and prestige to this State; now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Legislature congratulates Senator Aubrey DeWitt Green on his recent election and most heartily wish him every success in his new position with Lions International.

On motion of Mr. Samford, the Rules were suspended and the Resolution was adopted by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Seventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Seventh Legislative Day was approved by the Senate.

ADJOURNMENT

At 4:31 P.M., on motion of Mr. Cooper, the Senate adjourned until 12 o'clock Noon tomorrow, June 27, 1962.

EIGHTH LEGISLATIVE DAY

WEDNESDAY, JUNE 27, 1962

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by the Reverend W. N. Swearingen, Chairman, Pardon and Parole Board, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Eddins	Haltom	Robison
Andrews	Farmer	Hines	Rutledge
Barnett	Gaither	Jones	Samford
Caffey	Givhan	Kendall	Shelton
Clark	Godfrey	Laxson	Turner
Cooper	Golson	Leonard	Webb
Crawford	Graham	Moses	Wilson
deGraffenried	Green	Porter	Word
Dumas			

—32

JOURNAL

On motion of Mr. Wilson, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Jones, leaves of absence were granted Messrs. Berryman, Roberts and Wyatt for today.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively and finds same correctly enrolled, to-wit:

S. 31. To authorize and provide for the creation of a public corporation in each county of the state which has a population of at least 250,000, but not more than 500,000 according to the last or any subsequent federal decennial census, to provide for, promote and encourage education on a college or university level and cultural and scientific opportunities for the inhabitants of the county; to provide for the selection of the members and board of directors thereof; to authorize and direct such board to become a public corporation; to prescribe the manner of effecting such corporation; to authorize and empower the corporation to enter into agreements with public educational bodies or any governmental agency or body for the purpose of carrying out its functions; to provide for the powers of such cor-

poration, its continuation and dissolution; and to provide for the transfer to any corporation formed hereunder of the rights, powers, duties and assets of certain other public corporations, which are hereby abolished.

HUGH MOSES,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Webb:

S. 67. To provide for branch banking in Baldwin County; authorizing any bank located in the county to establish one or more branches, additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business at Daphne in said county.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BALDWIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for branch banking in Baldwin County; authorizing any bank located in the county to establish one or more branches, additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business at Daphne in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank engaged in a general banking business in Baldwin County may establish, maintain, and operate within the limits of the

municipality of Daphne, in said county, one or more branches, or additional offices, or places of business, for the receipt of deposits, payment of checks, lending of money, and the doing of a general banking business, provided that such bank, before the establishment of any such branch, or additional office or place of business, shall first obtain the approval and consent of the state superintendent of banks.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Frances G. Crawford, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of The Fairhope Courier, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, ail in the year 1962.

FRANCES G. CRAWFORD.

Sworn to and subscribed before me June 27, 1962.

DOROTHY ALLEGRI,
Notary Public, Baldwin County
My Commission Expires September 17, 1962.

By Mr. Caffey:

S. 68. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing special assistants for sheriffs of such counties.

Committee on Finance and Taxation.

By Mr. Crawford:

S. 69. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 16,500 nor more than 17,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Roberts and Reynolds (Madison):

H. 118. To apply only in counties in the state having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

By Messrs. Roberts and Reynolds (Madison):

H. 120. To provide further for the compensation of election officials in each county having a population of not less than 110,000 nor more than 160,000, according to the 1960 or any subsequent federal decennial census.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 118 and 120—to the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Perry, Sessions, Morrow, Edwards, Hawkins and Rast:

H. 31. To amend Act No. 343 of the legislature of Alabama of 1953, approved August 17, 1953, (Acts of Alabama of 1953, page 404 et seq.).

Also:

By Mr. Speaks:

H. 136. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than

25,500 nor more than 25,700 according to the last or any subsequent federal decennial census.

Also:

By Mr. Martin:

H. 137. To amend Act No. 294, H. 707, Regular Session 1959 (Acts 1959, vol. 1, p. 863), an act levying county sales and use taxes for public school purposes in Greene County, so as to provide an exemption from such taxes to any person, firm, or corporation establishing a manufacturing, compounding, processing or other industrial plant, mine or quarry within the county.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

To Whom It May Concern:

Notice is hereby given in accordance with Section 106 of the Constitution that a local law relating to Greene County will be introduced in the Legislature of Alabama and application for its enactment will be made at the next session. The substance of such law will be as follows:

To amend Act No. 294, H. 707, Regular Session 1959 (Acts 1959, vol. 1, p. 863), an act levying county sales and use taxes for public school purposes in Greene County, so as to provide exemptions from the provisions of this act and from the computation of the amounts of the taxes levied, assessed or payable under this act in favor of (a) the gross proceeds of sales and (b) the storage, use or other consumption of all construction materials, machinery and equipment, whether self-propelled, automotive or otherwise, and all parts, attachments and replacements for buildings, other structures, machinery and equipment, and all repair materials, and all coal, coke, gas, petroleum and petroleum products, when sold to or stored, used or consumed by any person, firm or corporation as part of, or in connection with, a manufacturing, compounding, processing or other industrial plant, mine or quarry located or to be located in Greene County.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Greene County Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 31, June 7, June 14, and June 21, all in the year 1962.

RICHARD K. MARTIN.

Sworn to and subscribed before me June 21, 1962.

CAROLYN S. FISHBURNE,
Title Notary Public.

Also:

By Mr. Bevill:

H. 140. Relating to clerks of the circuit courts in each county having a population of not less than 51,000 nor more than 56,000 inhabitants according to the most recent or any subsequent decennial federal census; providing that such clerks shall be ex officio clerks of the inferior courts in each county to which this Act applies, and providing that such clerks shall be entitled to a certain fee for each case docketed.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 31, 137 and 140—to the Committee on Local Legislation

H. B. 136—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

HOUSE JOINT RESOLUTION NO. 20

By Messrs. Cates, Hanby, Pierce, Harvey, Martin, Ramey, Long (Perry), Barnett, Gordon, Ray, Thomas, Locke, Bailey and Goodwyn:

WHEREAS the Supreme Court of the United States has rendered an invidious opinion in declaring that the Constitution is violated by any requirement that a public school teacher lead her pupils in prayer, and

WHEREAS, Mr. Justice Hugo Black rendered the majority opinion in which it is held that it is no part of the business of government to compose official prayers for any group of American people to recite as part of a religious program carried on by government, and that it does not matter that the prayer is denominationally neutral, or that it is voluntary to recite it, and

WHEREAS, our American heritage is based on a firm foundation of freedom OF religion and not freedom FROM religion, and

WHEREAS, a belief in a Supreme Being is so interwoven in every phase of American life that to attack this belief is to undermine our basic concepts, and

WHEREAS, this Legislative body representative of a free people was shocked and chagrined by this diabolical decision,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That this body learned with the deepest sorrow and keenest regret of the departing from the precepts of our forebears that the fear of the Lord is the beginning of knowledge; that we do deplore this ruling of the Supreme Court of the United States; and that we do respectfully request that the Congress propose an amendment to the Constitution of the United States overriding this decision, and guaranteeing to the children of this nation the right to prayer in our schools.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the Clerk of the House of Representatives and to the Secretary of the Senate of the Congress of the United States.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Graham, the Rules were suspended and the Resolution, H. J. R. 20, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 32. To designate certain areas of Mobile Bay for the taking of seed oysters.

Also:

S. 36. Relating to counties having populations of not less than 140,000 nor more than 250,000; to provide the procedure for initiating complaints under Act No. 295, Special Session, 1961, approved September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 5. Relative to congratulating Senator Aubrey DeWitt Green on being elected First Vice President of Lions International.

OAKLEY MELTON, JR.,
Clerk.

REPORTS OF COMMITTEES

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and

ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Dumas and Caffey (with substitute):

S. 58. To provide further for nominations by political parties of candidates for election to the legislature; confirming and continuing certain nominations made in the party primary elections or party meetings in May 1962; authorizing, providing for and regulating special party primary elections and mass, beat, or other party meetings under certain conditions for the purpose of nominating certain of such candidates; and placing special duties on the secretary of state.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Bevill:

H. 63. Relating to the Fourteenth Judicial Circuit; fixing the salary of the Official Court Reporter appointed by and serving under the Presiding Judge of such circuit and providing for the payment thereof.

By Messrs. Johnson (J. T. Tom) and Vickers:

H. 95. To amend Act No. 853, H. 1152, Regular Session 1961 (Acts 1961, Vol. 2, p. 1292) which requires the commissioner and state department of revenue to collect sales taxes for the town of Camp Hill, Tallapoosa County.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Moses (with notice and proof):

S. 64. Relating to the municipality of Hamilton, in Marion County, Alabama: To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Hamilton, Alabama.

By Mr. Eddins (with notice and proof):

S. 62. To abolish the City Court of Demopolis, an inferior court established in lieu of justices of the peace for the Demopolis precinct, Marengo County, and to reestablish the office of justice of the peace in that precinct; providing for the election or appointment of two justices of the peace for the precinct, and prescribing their jurisdiction, powers, and duties.

By Mr. Cooper:

S. 60. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 18,000 nor more than 19,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

By Mr. Dumas:

S. 57. To create a Local Government Commission in each county in the State having a population of 500,000 or more, according to the 1960 or any succeeding decennial Federal census, to provide for the membership, organization, functions, powers and duties of such Commission, to provide for the financing of such Commission's work by appropriation from the County and each municipality therein, and the receipt by the Commission of donations, to provide for the submission of recommended municipal mergers, annexations or changes in form of government to a vote of the qualified voters affected thereby, and in the event of a favorable vote, the effectuation of such mergers, annexations or changes in form of government, and to provide for advisory referenda.

By Messrs. Sessions and Perry:

H. 75. To provide that in any city of the State having a population of 300,000 or more according to the last or any subsequent Federal Census it shall be unlawful for any member of the governing body, or officer or employee of the city to be directly or indirectly interested in any work, business or contract, the expense, price or consideration of which is paid from the treasury of the City; to provide that in any such City no member of any committee, board or board of managers, trustees or directors containing one or more members appointed by the governing body of the City, or one or more members whose appointment is subject to the approval of the said governing body, or any officer or employee of the City who is an ex officio member of the said committee or board, shall be directly or indirectly interested in any work, business or contract, the expense, price or consideration of which is paid from the funds over which such committee or board has jurisdiction or which such committee or board administers, and to provide that no member of any such committee or board shall be directly or indirectly interested in furnishing any work, materials, supplies, services or anything which is the subject of a contract made by the committee or board; to provide that membership on any such committee or board shall not result in it being unlawful for a member of the committee or board to be interested in any work for, or business or contract with, any such city, provided the said committee or board does not authorize the said work, business or contract; to provide that it shall be unlawful for any member of the governing body or any officer of any such city to be surety for any person having a contract, work or business with the city for the performance of which a surety may be required; to provide that it shall be unlawful for a member of any such committee or board to be a surety for any person having a contract, work or business with the committee or board for the performance of which a surety may be required; to provide that membership on any such committee or board shall not result in it being unlawful for a member of such committee or board to be a surety for persons having a contract, work or business with the city for the performance of which a surety may be required provided the committee or board does not authorize the said contract, work or business; and to repeal all laws or parts of laws in conflict with the provisions of this Act; and prescribing penalties for the violation of this Act.

By Mr. Self:

H. 129. To apply only in counties having populations of not less than 21,800 nor more than 21,850; to prescribe qualifications, compensation and duties of members of the county board of education.

By Mr. Self:

H. 128. To apply only in counties having populations of not less than 21,800 nor more than 21,850 according to the last or any subsequent federal

decennial census; to provide for the uniform operation of school terms for all public schools within such counties.

By Messrs. Rogers (Mobile), Engel and Murphy (with notice and proof):

H. 122. To extend, alter and rearrange the boundaries of the Town of Mount Vernon, so as to extend the corporate limits thereof.

By Messrs. Merrill and Albea:

H. 124. To amend Act No. 833, H. 1498, approved September 8, 1961, which levies a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in counties having populations of not less than 80,000 and not more than 96,000 according to the last or any subsequent federal decennial census, and provides for the collection and enforcement of such tax, so as to provide for the use of tax stamps in the collection of the tax and to authorize and provide for the seizure and confiscation of any malt or brewed beverage hereby taxed on which the tax has not been paid and tax stamps affixed pursuant to this Act by any law enforcement officer of the county, of any municipality in the county, or of the state.

By Messrs. McCorquodale and Dunn:

H. 126. Relating to counties having populations of not less than 25,700 nor more than 25,950; to alter, rearrange and extend the corporate limits of certain towns within such counties.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Bevill, Shumate, Gilchrist, Hanby, Oden (with substitute):

H. 59. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

BILLS ON THIRD READING

The Bill:

H. 76. To permit any bank or branch bank doing business in Colbert County to establish in the City of Muscle Shoals, Alabama, one branch bank, branch agency, additional office or branch place of business in addition to all other branches, agencies, offices or places of business authorized by law, subject to the approval of the State Superintendent of Banks.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:
Andrews

Barnett
Caffey

Clark
Cooper

Crawford
Dumas

Eddins
Gaither
Givhan
Godfrey
Haltom

Hines
Laxson
Leonard
Moses

Porter
Robison
Samford
Shelton

Turner
Webb
Wilson
Word

—24

Nays:

—0

The Bill:

H. 99. To provide an allowance for expenses to the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:
Andrews
Barnett
Caffey
Clark
Cooper
Crawford

Eddins
Farmer
Gaither
Givhan
Godfrey
Haltom

Hines
Laxson
Leonard
Moses
Porter
Rutledge

Samford
Shelton
Turner
Webb
Wilson
Word

—24

Nays:

—0

RECESS

At 12:51 P. M., on motion of Mr. Turner, the Senate took a recess until 1:21 P. M. this afternoon.

The recess period having expired, the Senate was called to order by Lieutenant Governor Boutwell, President and Presiding Officer of the Senate.

ROLL CALL

Present:

Messrs.:
Andrews
Barnett
Caffey
Clark
Cooper
Crawford
deGraffenried
Dumas

Eddins
Farmer
Gaither
Givhan
Godfrey
Golson
Graham
Green

Haltom
Hines
Jones
Kendall
Laxson
Leonard
Moses
Porter

Robison
Rutledge
Samford
Shelton
Turner
Webb
Wilson
Word

—32

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolution, with the original Senate Bills and Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. 32. To designate certain areas of Mobile Bay for the taking of seed oysters.

Also:

S. 36. Relating to counties having populations of not less than 140,000 nor more than 250,000; to provide the procedure for initiating complaints under Act No. 295, Special Session, 1961, approved September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940.

Also:

S. J. R. 5. Congratulating Senator Aubrey DeWitt Green on his recent election with Lions International.

HUGH MOSES,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Eighth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Eighth Legislative Day was approved by the Senate.

ADJOURNMENT

At 1:28 P. M., on motion of Mr. Cooper, the Senate adjourned until tomorrow, June 28, 1962, at 12 o'clock Noon.

NINTH LEGISLATIVE DAY

THURSDAY, JUNE 28, 1962

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by the Reverend W. J. Treat, Curate, St. John's Episcopal Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dumas	Hines	Rutledge
Andrews	Eddins	Jones	Samford
Berryman	Farmer	Kendall	Shelton
Caffey	Gaither	Laxson	Turner
Clark	Givhan	Leonard	Webb
Cooper	Godfrey	Moses	Wilson
Crawford	Graham	Porter	Word
deGraffenried	Green	Robison	Wyatt

—31

JOURNAL

On motion of Mr. Porter, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Haltom, Roberts and Golson for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Eddins:

S. 70. To create an interim legislative committee to investigate rates and charges of newspapers for legal and political advertisements to determine if regulatory legislation is needed or desirable; to provide for the selection of such committee; to prescribe its powers, duties, and authority, and to appropriate funds for carrying out the provisions of this Act.

Committee on Finance and Taxation.

By Mr. Clark:

S. 71. To amend the title to and Section 1 of Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956 (as heretofore amended), entitled, "An act relative to municipalities in this state having a population of not less than 23,000 and not more than 100,000 inhabitants according

to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof," so as to make said Act applicable to municipalities having a population of not less than 8,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

Committee on Local Legislation.

By Mr. Godfrey:

S. 72. To propose an amendment to the Constitution authorizing the issuance and sale of warrants payable from the proceeds of special school taxes in DeKalb County for the purpose of refinancing any deficit created by proration of school funds prior to June 1, 1962.

Committee on Local Legislation.

The above bill was read a first time at length as required by the Constitution.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolution, your signature thereto is requested.

H. 76. To permit any bank or branch bank doing business in Colbert County to establish in the City of Muscle Shoals, Alabama, one branch bank, branch agency, additional office or branch place of business in addition to all other branches, agencies, offices or places of business authorized by law, subject to the approval of the State Superintendent of Banks.

Also:

H. 99. To provide an allowance for expenses to the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000.

Also:

H. J. R. 20. Relative to the right of prayer in public schools.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 11. To amend Act No. 409, H. 809, approved September 9, 1955, (Acts of Organizational—Special—Regular Sessions 1955, Vol. II, p. 954) which relates to furnishing equipment, supplies, and additional clerks to the tax assessor and the tax collector of counties having a population of not less than 30,700 nor more than 31,400 inhabitants according to the decennial census of the United States of 1950, and having two court houses and a court of county commissioners:

Relating to counties having a population not less than 30,000 nor more than 34,000 inhabitants according to the last or any subsequent decennial census of the United States, and having two court houses and a court of county commissioners; providing for the furnishing of additional clerks to the tax assessor and the tax collector of such counties.

Also:

H. 32. To confer upon the Alabama Public Service Commission exclusive authority and power to regulate the rates of and to supervise certain public utilities the operations of which are exempt in whole or in part, from the provisions of the Alabama Motor Carrier Act of 1939, and which said utilities are engaged in business as common carriers of passengers for hire within counties having a population of 500,000 or more inhabitants according to the latest or any subsequent federal census.

Also:

H. 46. To amend Section 19 of Act No. 678, H. 1364, approved September 8, 1961, General Acts of Alabama 1961, Page 952, entitled "An Act regulating the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students and apprentices; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof in all counties

having a population of not less than 300,000 nor more than 500,000 inhabitants according to the last or any subsequent federal decennial census."

Also:

H. 77. To provide clerical assistance for the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000.

Also:

H. 78. Relating to counties having populations of not less than 42,000 nor more than 46,000; providing for increases in pay of deputy sheriffs of such counties.

Also:

H. 79. To authorize and provide for the payment out of the county treasury of the county composing such judicial circuit of a monthly allowance for expenses incurred in the conduct and maintenance of his office and in the proper and efficient performance and discharge of his duties to each circuit judge in every judicial circuit composed of one county having a population of not less than 42,000 nor more than 46,000 inhabitants, according to the last, or any subsequent, federal decennial census.

Also:

H. 91. Relating to counties having populations of not less than 42,000 nor more than 46,000 according to the last or any subsequent federal decennial census; to authorize county governing bodies to provide for payment of additional expense and clerk hire allowances to certain county officers.

Also:

H. 96. Relating to Colbert County; levying additional special privilege or licenses taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments and additions thereto; providing for the enforcement and collection of the taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; prescribing the purposes for which such proceeds may be used; and superseding Act No. 485, H. 1049, approved August 30, 1949 (Acts 1949, p. 704), the county sales and use tax law.

Also:

H. 97. To amend further Section 2 of Act No. 131, H. 333, Regular Session 1949, an act which created and established the board of revenue for Colbert County (Acts 1949, p. 157).

Also:

H. 100. To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Also:

H. 101. To amend Act. No. 49, H. 213, Regular Session 1957, which provides for a Chief Deputy Sheriff and other Deputies Sheriff of Elmore County and regulates their compensation, allowances, and expenses (Acts 1957, vol. I, p. 92).

Also:

H. 109. Relating to taxation in counties having populations of not less than 150,000 nor more than 300,000; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

Also:

H. 110. Relating to counties having populations of not less than 140,000 nor more than 250,000; to provide the procedure for initiating complaints under Act No. 295, Special Session, 1961, approved September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940.

Also:

H. 111. To amend the title and Section 1 of Act No. 541, H. 512, approved August 28, 1951 (Acts 1951, p. 953) which provides for the allocation of the duties of the chairman and members of the city commission in certain cities classified on a population basis.

Also:

H. 116. Relating to counties having populations of not less than 13,900 nor more than 14,300; providing an additional deputy sheriff for such counties whose compensation shall be payable from the county highway and traffic fund.

Also:

H. 117. To apply only in counties of the state having populations of not less than 19,500 nor more than 20,000 inhabitants according to the last or any subsequent federal decennial census, to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, Senate Bill 21, without my signature and approval.

This bill is identical to House Bill 48, which has passed both Houses of the Legislature and has been approved by me.

Respectfully,
JOHN PATTERSON,
Governor

GOVERNOR'S MESSAGE

On motion of Mr. Robison, the Senate sustained the Governor's veto to the Bill, S. 21.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Porter
Andrews	Eddins	Hines	Robison
Berryman	Farmer	Jones	Rutledge
Caffey	Gaither	Kendall	Samford
Clark	Givhan	Laxson	Webb
Cooper	Godfrey	Leonard	Word
Crawford	Graham	Moses	Wyatt
deGraffenried			

—28

Nays:

—0

RECESS

At 12:33 P. M., on motion of Mr. Cooper, the Senate took a recess until 2:30 P. M. this afternoon.

AFTERNOON SESSION
NINTH LEGISLATIVE DAY
THURSDAY, JUNE 28, 1962

The Senate re-assembled at 2:30 P. M., Lieutenant Governor Boutwell presiding.

ROLL CALL

Present:

Messrs.:	Dumas	Hines	Rutledge
Andrews	Eddins	Jones	Samford
Barnett	Farmer	Kendall	Shelton
Berryman	Gaither	Laxson	Turner
Caffey	Givhan	Leonard	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Graham	Porter	Word
Crawford	Green	Robison	Wyatt
deGraffenried			

—32

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, Senate Bill No. 22, without my signature and approval.

This bill is identical to House Bill No. 49, which has passed both Houses of the Legislature and has been approved by me.

Respectfully,
JOHN PATTERSON,
Governor

GOVERNOR'S MESSAGE

On motion of Mr. Robison, the Senate sustained the Governor's veto to the Bill, S. B. 22.

Yeas 26; Nays 0.

Yeas:

Messrs.:	deGraffenried	Hines	Rutledge
Andrews	Eddins	Jones	Samford
Barnett	Farmer	Laxson	Webb
Berryman	Gaither	Leonard	Wilson
Caffey	Godfrey	Moses	Word
Cooper	Graham	Porter	Wyatt
Crawford	Green	Robison	

—26

Nays:

—0

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, Senate Bill 23, without my signature and approval.

This bill is identical to House Bill 47, which has passed both Houses of the Legislature and has been approved by me.

Respectfully,
JOHN PATTERSON,
Governor

GOVERNOR'S MESSAGE

On motion of Mr. Robison, the Senate sustained the Governor's veto to the Bill, S. 23.

Yeas 29; Nays 0.

Yeas:

Messrs.:	deGraffenried	Hines	Rutledge
Andrews	Eddins	Jones	Samford
Barnett	Farmer	Laxson	Shelton
Berryman	Gaither	Leonard	Webb
Caffey	Givhan	Moses	Wilson
Clark	Godfrey	Porter	Word
Cooper	Graham	Robison	Wyatt
Crawford	Green		

—29

Nays:

—0

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Shelton:

S. 73. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 70,000 nor more than 96,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Committee on Local Legislation.

REPORTS OF COMMITTEES

Mr. Jones, Chairman of the Standing Committee on Constitution, Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Porter, Clark, Wilson, Crawford, Andrews, Berryman, Cooper, Eddins, Moses, Jones, Godfrey, Golson, Kendall, Leonard, Turner, Webb, Givhan, Hines and Gaither:

S. 56. Proposing to amend the Constitution of Alabama 1901 in relation to the distribution of profits derived by the state from the sale of alcoholic beverages.

The above Bill was read a second time at length as required by the Constitution.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Turner and Wyatt:

S. 55. To create the office of deputy attorney general of Alabama.

By Mr. Graham:

S. 59. To amend further Code of Alabama 1940, Title 13, Section 112, so as to create the 34th judicial circuit.

By Messrs. Cooper, Rutledge, Golson and Gaither:

S. 53. To amend Section 1 of Act No. 388, approved September 9, 1955, entitled "An Act To Fix the Compensation of Certain State Officers".

By Mr. Caffey:

S. 68. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing special assistants for sheriffs of such counties.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Webb (with notice and proof):

S. 67. To provide for branch banking in Baldwin County; authorizing any bank located in the county to establish one or more branches, additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business at Daphne in said county.

By Mr. Crawford:

S. 69. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 16,500 nor more than 17,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

By Mr. Perry et al:

H. 31. To amend Act No. 343 of the Legislature of Alabama of 1953, approved August 17, 1953, (Acts of Alabama of 1953, page 404 et seq.).

By Messrs. Roberts and Reynolds (Madison):

H. 118. To apply only in counties in the state having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Roberts and Reynolds (Madison) (with substitute):

H. 120. To provide further for the compensation of election officials in each county having a population of not less than 110,000 nor more than 160,000, according to the 1960 or any subsequent federal decennial census.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Goodwyn:

H. 131. To validate the incorporation of municipalities attempted to be organized in territory of less than 1,000 inhabitants, in which in any election held for the purpose of incorporation, since June 30, 1961, a majority of the electors participating in said election voted in favor of incorporation, but which election may have been irregular because of failure to comply with requirements as to publication or posting or any other procedures required by law.

By Mr. Martin (with notice and proof):

H. 137. To amend Act No. 294, H. 707, Regular Session 1959 (Acts 1959, vol. 1, p. 863), an act levying county sales and use taxes for public

school purposes in Greene County, so as to provide an exemption from such taxes to any person, firm, or corporation establishing a manufacturing, compounding, processing or other industrial plant, mine or quarry within the county.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

By Mr. deGraffenried:

S. 37. To Fix the Salary of Deputy Circuit Solicitor No. 2 of the Sixth Judicial Circuit of Alabama.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Steagall:

H. 142. To validate in certain cases elections held in any county in this State, which has a population of less than fifty thousand according to the last federal decennial census, for the purpose of authorizing a special tax for public hospital purposes under the Constitution.

Also:

By Mr. Steagall:

H. 143. To validate in certain cases elections heretofore held in counties having populations of less than fifty thousand according to the last federal decennial census or in school districts in any of such counties for the purpose of authorizing a special tax for any school purpose, or for school purposes generally, under the Constitution.

Also:

By Mr. Steagall:

H. 144. To validate in certain cases elections heretofore held in counties having populations of less than fifty thousand according to the last federal decennial census, or in school districts or municipalities in such counties for the purpose of authorizing any special tax under the Constitution.

Also:

By Mr. Harris:

H. 145. Relating to counties having populations of not less than

40,000 nor more than 45,000; to provide additional compensation for the chief deputy and all other deputy sheriffs of all such counties.

Also:

By Mr. Sullivan:

H. 151. To fix the compensation of the county solicitor of any county having a population of not less than 21,800 nor more than 21,950 according to the 1960 or any subsequent federal decennial census.

Also:

By Messrs. Bassett and Sorrell:

H. 152. To alter or rearrange the boundary lines of the City of Troy, Pike County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Pike County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that application will be made at the next special session of the Legislature of Alabama for the passage and enactment of a bill substantially as follows, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter or rearrange the boundary lines of the City of Troy, Pike County, Alabama, so as to include within the corporate limits of the City all territory now within such corporate limits and also certain other territory contiguous thereto, in Pike County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Troy, Pike County, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Troy, Alabama and in addition thereto the following described territory, to-wit:

West half of Section 5, Township 9 North, Range 21 East.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PIKE

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. F. Boisclair, who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Troy Messenger, a newspaper of general circulation published in Pike County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 25, all in the year 1962.

M. F. BOISCLAIR.

Sworn to and subscribed before me June 26, 1962.

LOUISE M. EMERSON,
Title Notary Public.

Also:

By Messrs. Oakley and Nettles:

H. 153. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 18,000 nor more than 19,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

By Mr. Oden:

H. 146. Proposing an amendment to the Constitution of Alabama relative to the rate of taxation on property in the City of Russellville for public school purposes.

Also:

By Messrs. Roberts and Reynolds (Madison):

H. 149. To amend further Act No. 658, H. 1030, Regular Session 1959, an act providing for a county privilege license or excise tax on cigarettes in Madison County (Acts 1959, vol. 2, p. 1592).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act. No. 658, H. 1030, Regular Session 1959, an act

providing for a county privilege license or excise tax on cigarettes in Madison County (Acts 1959, vol. 2, p. 1592).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act 658, H. 1030, Regular Session 1959, an act providing for a county privilege license or excise tax on cigarettes in Madison County (Act 1959, vol. 2, p. 1592), as amended by Act No. 124, Special Session 1961, is amended further to read as follows:

"Section 4. The revenue collected from the tax hereby levied, less the cost of collection, including any discount allowed on the sale of stamps, shall be distributed as follows: Fifty per cent (50%) thereof shall be paid over to the City of Huntsville; one per cent (1%) thereof shall be paid to the municipality of Madison; one per cent (1%) thereof shall be paid to the municipality of New Hope; one per cent (1%) thereof shall be paid to the municipality of Gurley; the remaining forty-seven per cent (47%) thereof shall be paid to the board of education of Madison County to be used for public school purposes."

Section 2. This Act shall take effect on the first day of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1962.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me June 20, 1962.

OPAL H. DILWORTH,
Title Notary Public.

Also:

By Mr. Bishop:

H. 141. Relating to Colbert County; fixing the compensation of the chairman of the board of revenue, court of county commissioners, or other like governing body of Colbert County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF COLBERT

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Colbert County; fixing the compensation of the chairman of the board of revenue, court of county commissioners, or other like governing body of Colbert County.

Be It Enacted by the Legislature of Alabama:

Section 1. The chairman of the board of revenue, court of county commissioners, or other like governing body of Colbert County shall receive a salary of seven thousand two hundred dollars (\$7,200) per annum, payable in equal monthly installments out of the county treasury in the manner prescribed by law. Such compensation shall be his full compensation, and shall be in lieu of all other compensation, allowances, per diem, or expenses heretofore provided by law.

Section 2. The provisions of this Act shall become operative only if approved by a majority of the qualified electors of Colbert County, voting in a referendum to be held on the date of the first county-wide primary, general, or special election held after the passage of this Act. The governing body of Colbert County shall order and provide for the holding the referendum on such date. On the ballots to be used at the election, the question shall be stated substantially as follows: "Shall the provisions of Act. No. _____ of the 1962 Special Session of the Legislature, which fixes the compensation of the chairman of the governing body of Colbert County be adopted? Yes () No ()." If a majority of the votes cast in the election are "Yes," the provisions of this Act shall become effective upon the expiration of the terms of the chairman or other members of the governing body of Colbert County in accordance with the provisions of Amendment 144 of the Constitution of Alabama. If the majority are "No" this Act shall have no effect. The judge of probate of Colbert County shall certify the results of the election to the Secretary of State within 30 days after the returns thereof are canvassed.

STATE OF ALABAMA
COLBERT COUNTY

I, W. F. Miller, publisher of Colbert County Reporter, a newspaper of general circulation printed and published in Tusculumbia, Colbert County, Alabama, hereby certify that the attached notice was published in said Colbert County Reporter for four (4) consecutive weeks in the issues of May 31, June 7, June 14 and June 21, 1962.

W. F. MILLER,

Sworn to and subscribed before me this 25th day of June, 1962.

FRANCES DI RAGO,
Notary Public.

Also:

By Messrs. Sessions, Rast, Perry, Locke, Morrow, Edwards and Hawkins:

H. 148. To authorize the Registers of all Circuit Courts, in Counties having a population of 500,000 inhabitants or more, according to the last or any subsequent Federal Census, to destroy all documents, papers and exhibits filed in divorce cases in such Courts after the expiration of 20 years from the filing date of the final decree in such cases, and making the Minute Books and Final Record Books the official Court Record of such destroyed documents; but no authority is given herein to destroy the dockets, docket sheets, Minute Books, Final Record Books or indices in such cases.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL (LEGISLATIVE) NOTICE

Notice is hereby given of the intention to introduce in the next Session of the Legislature of Alabama for enactment into law the following bill:

A BILL TO BE ENTITLED AN ACT

To authorize the Registers of all Circuit Courts, in Counties having a population of 500,000 inhabitants or more, according to the last or any subsequent Federal Census, to destroy all documents, papers and exhibits filed in divorce cases in such Courts after the expiration of 20 years from the filing date of the final decree in such cases, and making the Minute Books and Final Record Books the official Court Record of such destroyed documents; but no authority is given herein to destroy the dockets, docket sheets, Minute Books, Final Record Books or indices in such cases.

Be It Enacted by the Legislature of Alabama:

1. This Act shall apply only in Counties having a population of 500,000 inhabitants or more, according to the last or any subsequent Federal Census.

2. The Registers of all Circuit Courts in such Counties are authorized to destroy all documents, papers and exhibits filed in divorce cases in such Courts after the expiration of 20 years from the filing date of the final decree in such cases; but no authority is given herein to destroy the docket sheets, Minute Books, Final Record Books, or indices in such cases.

3. The Minute Books and Final Record Books maintained by the Registers shall be considered to be the Official Court Records of documents and papers destroyed under the provisions of this Act, and certified copies made from such books in such cases shall have the same force and effect as though made from the original documents and papers therein.

4. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Sara Wheeler, who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of May 12, 19, 26; June 2, 1962, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 4th day of June, 1962.

ANGIE CAMPISI,
Notary Public.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H.B.'s 142, 143, 144, 145, 151, 152, 153, 146, 149, 141 and 148—to the Committee on Local Legislation.

(The above Bill, H. B. 146, was read at length as required by the Constitution.)

MOTION IN WRITING

Mr. Jones offered the following Motion in Writing:

"I move to carry over Senate Bill 8 until the 10th legislative day without losing its place on the calendar.

Jones"

Which was adopted.

MOTION TO ADJOURN LOST

At 3:30 P. M., Mr. Cooper moved that the Senate now adjourn until Friday, June 29, 1962, at 10:00 A. M., which motion was lost.

Yeas 10; Nays 20.

Yeas:

Messrs.:	Gaither	Green	Porter
Andrews	Givhan	Laxson	Wyatt
Cooper	Godfrey	Leonard	

—10

Nays:

Messrs.:	Dumas	Jones	Samford
Barnett	Eddins	Kendall	Shelton
Caffey	Farmer	Moses	Turner
Clark	Graham	Robison	Webb
Crawford	Hines	Rutledge	Word
deGraffenried			

—20

BILLS ON THIRD READING

The Bill:

H. 17. Relating to municipalities having populations of not less than 48,000 nor more than 60,000, according to the most recent federal decennial census; limiting their authority to impose privilege license taxes.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Hines	Rutledge
Andrews	Eddins	Jones	Samford
Barnett	Farmer	Kendall	Shelton
Berryman	Gaither	Laxson	Turner
Caffey	Givhan	Leonard	Webb
Clark	Godfrey	Moses	Wyatt
Cooper			

—24

Nays:

—0

The Bill:

H. 122. To extend, alter and rearrange the boundaries of the Town of Mount Vernon, so as to extend the corporate limits thereof.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Clark	Crawford	Dumas
Caffey	Cooper	deGraffenried	Gaither

Givhan	Laxson	Robison	Webb
Godfrey	Leonard	Samford	Wilson
Graham	Moses	Shelton	Word
Green	Porter	Turner	Wyatt
Kendall			

—24

Nays:

—0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Caffey, further consideration of the Bill, H. B. 93, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 48. Relating to the Partlow State School for Mental Deficients; changing the name of such institution to Partlow State School and Hospital.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	deGraffenried	Hines	Rutledge
Andrews	Dumas	Jones	Samford
Barnett	Eddins	Kendall	Shelton
Berryman	Farmer	Laxson	Turner
Caffey	Gaither	Leonard	Webb
Clark	Godfrey	Moses	Word
Cooper	Graham	Porter	Wyatt
Crawford	Green	Robison	

—30

Nays:

—0

The Bill:

H. 102. To amend Section 1 of Act No. 158, H. 399, approved August 1, 1961 (Acts of Alabama 1961, p. 206) which act regulates the compensation of coroners in counties of not less than 96,000 nor more than 106,000 population, so as to authorize the payment of an expense allowance to the coroner in any such county.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Hines	Rutledge
Andrews	Eddins	Jones	Samford
Barnett	Farmer	Kendall	Shelton
Berryman	Gaither	Laxson	Turner
Caffey	Givhan	Leonard	Webb
Clark	Godfrey	Moses	Wyatt
Cooper			

—24

Nays:

—0

The Bill:

H. 103. To provide for the distribution and use of revenue received from the property tax levied as authorized by Amendment CCIII of the Constitution of Alabama 1901 in any county having a population of not less than 96,000 nor more than 106,000.

Was taken up.

Mr. Wyatt offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 103

Amend the title and Section 2 of H. B. 103 by striking from the title roman numerals CCIII in line two and inserting in lieu thereof roman numerals "CCII", and by striking from Section 2, roman numerals CCIII in line 3, and inserting in lieu thereof roman numerals "CCII".

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gaither	Laxson	Samford
Caffey	Givhan	Leonard	Turner
Clark	Godfrey	Moses	Webb
Cooper	Graham	Porter	Wilson
Crawford	Green	Robison	Word
deGraffenried	Kendall	Rutledge	Wyatt
Dumas			

—24

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gaither	Laxson	Samford
Caffey	Givhan	Leonard	Turner
Clark	Godfrey	Moses	Webb
Cooper	Graham	Porter	Wilson
Crawford	Green	Robison	Word
deGraffenried	Kendall	Rutledge	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

S. 58. To provide further for nominations by political parties of candidates for election to the legislature; confirming and continuing certain nominations made in the party primary elections or party meetings in May 1962; authorizing, providing for and regulating special party primary elections and mass, beat, or other party meetings under certain conditions for the purpose of nominating certain of such candidates; and placing special duties on the secretary of state.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, to-wit:

SUBSTITUTE FOR S. B. 58

A BILL TO BE ENTITLED AN ACT

To provide further for nominations by political parties of candidates for election to the legislature; confirming and continuing certain nominations made in the party primary elections or party meetings in 1962; authorizing, providing for and regulating special party primary elections and mass, beat, or other party meetings under certain conditions for the purpose of nominating certain of such candidates; and placing special duties on the secretary of state.

Be It Enacted by the Legislature of Alabama:

Section 1. If at the general election in November 1962 members are to be elected to the Alabama Legislature under an apportionment of the membership thereof which is different from the apportionment which applied in May 1962, and which becomes effective on or before August 31, 1962, nominations by political parties of candidates for membership in the state senate and of candidates for representatives in the house of representatives shall be governed by this Act.

Section 2. If a county is entitled under the new apportionment to the same number of representatives in the house of representatives that it was entitled to under the apportionment effective when primary elections were held in May 1962, then the person or persons nominated at such primary elections shall be that political party's nominee or nominees for

candidate for representative from that county in the general election in 1962.

If under the new apportionment a county is entitled to more representatives than under the apportionment which was effective in May 1962, then any political party which held primary elections for the purpose of nominating candidates for the house of representatives may hold a special primary for the purpose of nominating such additional number of candidates for representative as the county is entitled under the new apportionment; and all nominees of that political party elected at the primary elections in May plus the nominee, or nominees, elected at this special primary hereby authorized shall be that political party's nominees for election as representatives from such county at the general election in November 1962. If candidates for election as representatives from such county must be nominated from numbered positions then the chairman of the state executive committee of the party holding the special primary election shall certify the name of the candidate who receives the greatest number of votes as the nominee of the party for the first additional position, the candidate who receives the next greatest number of votes as the party's candidate for the second additional position and the candidate who receives the next greatest number of votes and so on until he has certified a nominee for each additional position in numerical order. If nominations for election as representatives from such county need not be made for numbered positions then the chairman of the party committee shall certify no more additional nominees than there are additional positions to be filled.

If under the new apportionment a county is entitled to fewer representatives than under the apportionment which was effective in May 1962, then any political party, which nominated candidates for the house of representatives at a primary election, may hold a special primary election for the purpose of eliminating such number of its duly elected nominees as exceeds the number of representatives to which such county is entitled under the new apportionment. At such special election only persons who were duly nominated at the primary elections held in May 1962 may be candidates for nomination as a representative from such county and they shall not be candidates for any particular position. If under the new apportionment the county is entitled to only one representative then the candidate at the special election who receives the greatest number of votes shall be the party's nominee as a candidate for election as the representative from that county at the general election in November 1962. If the county is entitled under the new apportionment to two or more representatives then the candidates receiving the greatest number of votes and the second, third or other (depending on the number of representatives to be elected) greatest number of votes shall be the party's nominees for election as representatives from such county in the general election in 1962. If representatives from such county were nominated in the May primaries as candidates for numbered positions then the chairman of the state executive committee of the party holding the special primary, in certifying the party's nominations, shall certify as the candidate for place number one the person who received the greatest number of votes in the special primary, as the candidate for place number two the person who receives the second greatest number of votes and so on until he has certified a candidate for such number of positions as equals the number of representatives to which the county is entitled under the new apportionment.

If a senatorial district under the new apportionment consists of the same territory that formed a senatorial district under the apportionment which was in effect when the primary elections were held in May 1962, the person nominated by a political party at such primary elections shall be

that political party's nominee for election in November 1962 as state senator from such district, whether or not it bears the same number under the new apportionment that it bore under the apportionment which applied when he was nominated.

If a senatorial district under the new apportionment is not composed of exactly the same territory that previously formed a senatorial district and only one resident of such new district has been nominated by a political party at a primary election in May 1962 as its candidate for state senator from a then existing district, whether or not it bore the same number that the new district bears, such person shall be that political party's nominee as candidate for state senator from the newly created senatorial district at the general election in November 1962.

If a senatorial district under the new apportionment is not composed of the same territory that previously formed a senatorial district and two or more residents within such district have each been nominated by a political party as its candidate for state senator from a district existing under the prior apportionment, whether or not any of the districts for which they were nominated bore the same number that the newly created district bears, the political party may hold a special primary election for the purpose of eliminating all but one of its duly elected nominees, and nominating him as its candidate for state senator from the newly created district. At this election only those persons who were duly nominated as candidates of such party for state senator at a primary election in May 1962 shall be candidates, and the one receiving the greatest number of votes in the special primary shall be that party's nominee as a candidate for election as state senator from the newly created district at the general election in November 1962.

If a senatorial district under the new apportionment is not composed of exactly the same territory which previously formed a senatorial district and no resident within the newly created district was nominated as a candidate for election as state senator at its primary elections in May 1962, a political party may hold a special primary election in such district for the purpose of nominating a candidate for election as state senator from such newly created district at the general election in November 1962.

Section 3. Any special primary elections authorized to be held by Section 1 of this Act shall be held on the first Tuesday occurring at least thirty days after the date on which the new apportionment is ordered, and, except as provided in this Act, shall be conducted in the same way and according to the same laws as prescribed for conducting other primary elections.

Section 4. Any person who was duly nominated at a primary election in May 1962 as a party's candidate for representative from a county which loses representation under the new apportionment shall automatically become a candidate in the special primary election held pursuant to this Act and he shall not be required to file any declaration of candidacy nor pay any additional assessment to the party to become such candidate.

Any person who was duly nominated at a primary election in May 1962 as a party's candidate for the state senate, who under the new apportionment is a resident of a senatorial district in which resides another person who was also duly nominated at a primary election by the same political party as another of the party's candidates for the state senate shall automatically become a candidate in the special election for nomination by such party as its candidate for state senator from such newly created

senatorial district in the general election in November 1962; and he shall not be required to file any declaration of candidacy nor pay any additional assessment to such party to become such candidate.

Any person desiring to become a candidate in a special primary election held pursuant to this Act for nominating additional candidates for representatives in a county which is entitled to more representatives under the new apportionment than it had under the apportionment effective when the May 1962 primary elections were held and any person desiring to become a candidate in a special primary held pursuant to this Act for nominating a candidate for state senator from a newly formed senatorial district in which no person who was duly nominated as a candidate for the state senate at the primary elections in May 1962 resides shall, not later than 5 p. m. of the twenty-fourth day before the election (not counting the day of the election), file his declaration of candidacy in the form prescribed by the governing body of the party with the chairman of the state executive committee of the party and file his notice of appointment of a committee to handle campaign funds with the secretary of state; and he shall also, within such time, pay any assessments that may be required to be paid by him.

Section 5. The chairman of the state executive committee of each political party entering the special primary election hereby authorized shall, not less than twenty-three days prior to the date of such election, certify to the secretary of state the names of all persons who have qualified with him as candidates for nomination to the state senate and to the house of representatives. The secretary of state shall, not less than twenty-one days prior to the date of holding the election, certify to the probate judge of every county in which the election is to be held the names of the opposed candidates for nomination to the state senate and to the house of representatives. The probate judge of each county shall have the ballots prepared for this special election in the same manner that he has ballots prepared for regular primary elections under the general law. If a legally qualified candidate for nomination to the state senate or house of representatives is unopposed when the last day for certifying candidates has passed, his name shall not be printed on the ballots to be used at the election; and he shall be the nominee of the party with which he has qualified for the office.

Section 6. Any person nominated at a mass meeting, beat meeting or other meeting of the voters of a political party in May 1962 as its candidate for election in November 1962 as a representative in the house of representatives for a county which is accorded the same number of representatives under the new apportionment that it had under the apportionment effective in May 1962 shall be such party's nominee, or nominees, for representative from such county for the general election in November 1962.

Any person who was nominated at a mass meeting, beat meeting or other meeting of the voters of a political party in 1962 as a candidate for representative from a county which is entitled under the new apportionment to more representatives than it had under the apportionment effective in May 1962 shall be such party's nominee or nominees, for such number of representatives as the county was entitled to in May 1962; and the party may hold a special mass meeting, beat meeting or other meeting of its voters for the purpose of nominating such number of additional candidates for representative as equals the number of additional representatives to which the county is entitled under the new apportionment.

If under the new apportionment a county is entitled to fewer representatives than under the apportionment which was effective in May 1962,

then any political party which at a mass meeting, beat meeting or other meeting of its voters in 1962 nominated candidates for representative in the house of representatives may hold a special mass meeting, beat meeting, or other meeting for the purpose of eliminating such number of its nominees as exceeds the number of representatives to which such county is entitled under the new apportionment.

Any person who was nominated at a mass meeting, beat meeting or other meeting of the voters of a political party in 1962 as its candidate for state senator from a then existing district which was composed of the same territory forming a senatorial district under the new apportionment shall be such party's nominee as candidate for state senator from such new district.

Any person who was nominated at a mass meeting, beat meeting or other meeting of the voters of a political party in 1962, as its candidate for state senator from a district existing under the then effective apportionment, who is the only resident of a newly created senatorial district so nominated at such time by such party shall be such party's candidate for state senator from such new senatorial district, whether or not such new district bears the same number that the district for which he was nominated bore.

If two or more residents of a newly created senatorial district have each been nominated at a mass meeting, beat meeting or other meeting of the voters of a political party as its candidate for state senator from a district existing under the prior apportionment, whether or not any of the districts for which they were nominated bore the same number that the newly created district bears, the party may hold a special mass meeting, beat meeting or other meeting of its voters for the purpose of eliminating all but one of such nominees and nominating him as its candidate for state senator from such new district.

If no resident of a newly created senatorial district has been nominated at a mass meeting, beat meeting, or other meeting of a political party in 1962, as a candidate for state senator, then the party may hold a special mass meeting, beat meeting or other meeting of its voters for the purpose of nominating a candidate for state senator from such new district.

Section 7. All special mass meetings, beat meetings or other meetings of political parties hereby authorized shall be held on the same day that the special primary elections hereby authorized are held, and except as otherwise provided in this Act shall be governed by the general law regulating political party meetings for nominating candidates for the state legislature.

Section 8. The chairman of the state executive committee of each political party which enters the special primary as authorized in this Act shall, within three days after the nominations shall have been completed but in no event less than thirty days previous to the day of the general election in November, certify in writing and file with the secretary of state the names of all the candidates who have been put in nomination by a special party meeting or primary election held pursuant to this Act in the same manner that he certifies nominations made at regular party primary elections or regular party meetings. The certificates of nominations made at special primary elections or special party meetings held under authority of this Act shall supersede certificates of nominations heretofore filed by the chairmen of the several respective parties relative to nominations of candidates in 1962 by such parties in all cases in which such nominations are invalidated by this Act.

Section 9. The secretary of state, from certificates of nominations filed by the chairmen of the executive committees of the several political parties, shall ascertain the counties for which fewer or more than the number of representatives apportioned to them, respectively, according to the new apportionment, have been nominated as candidates in the November 1962 general election for representative from such county, either at a party primary election or a party meeting. The secretary of state, within three days after the new apportionment is ordered, shall notify the judge of probate of each of these counties that special party primary elections or special party meetings are authorized by this Act for the purpose of nominating a candidate or candidates for representative from the county for the general election in November. Such notice shall state the number of candidates which may be so nominated. This notice shall also contain the name of each political party authorized to hold a special primary election in the county and the name of each party authorized to hold a special party meeting to nominate candidates for representative. If the special election in such county is authorized only for the purpose of eliminating a nominee, or nominees, named in May, then the secretary of state shall also state the names of the persons who automatically become the candidates in such special election by virtue of their prior nominations.

The secretary of state shall also ascertain, from the said certificates of nominations, the senatorial districts in which there is not residing a candidate for state senator named by a political party which held primary elections or party meetings to nominate a candidate for state senator from a senatorial district under the apportionment effective in May which contained at least one of the counties in the newly created district, and also the senatorial districts according to the new apportionment in which there are two or more residents each of whom was nominated as a candidate for state senator from a senatorial district under the prior apportionment. The secretary of state, within three days after the new apportionment is ordered, shall notify the judge of probate of each county in every senatorial district in each of the two categories above that special primary elections or special party meetings are authorized in such counties by this Act. If the special election in such county is authorized only for the purpose of eliminating a nominee, or nominees, named in May, then the notice shall also state the names of the persons who automatically become candidates in such special election by virtue of prior nomination as a candidate for state senator.

The secretary of state shall also notify the judge of probate of every county in which no special primary election or party meeting is authorized under this Act of that fact.

The findings of the secretary of state regarding the effect of this Act in the several counties shall also be released to the press.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. All laws or parts of laws which conflict with this Act are repealed.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Turner, further consideration of the bill, S. B. 58, and pending Committee substitute, was postponed until the 12th Legislative Day as Unfinished Business.

BILLS ON THIRD READING RESUMED

The Bill:

H. 126. Relating to counties having populations of not less than 25,700 nor more than 25,950; to alter, rearrange and extend the corporate limits of certain towns within such counties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Rutledge
Andrews	Farmer	Kendall	Samford
Barnett	Gaither	Laxson	Shelton
Berryman	Givhan	Leonard	Turner
Crawford	Green	Porter	Word
deGraffenried	Hines	Robison	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 95. To amend Act No. 853, H. 1152, Regular Session 1961 (Acts 1961, Vol. 2, p. 1292) which requires the commissioner and state department of revenue to collect sales taxes for the town of Camp Hill, Tallapoosa County.

Was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Farmer	Hines	Porter
Caffey	Gaither	Jones	Turner
Cooper	Givhan	Kendall	Webb
Crawford	Godfrey	Laxson	Word
Eddins	Green	Leonard	Wyatt

—19

Nays:

—0

The Bill:

H. 63. Relating to the Fourteenth Judicial Circuit; fixing the salary of the Official Court Reporter appointed by and serving under the Presiding Judge of such circuit and providing for the payment thereof.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Rutledge
Andrews	Farmer	Kendall	Samford
Barnett	Gaither	Laxson	Shelton
Berryman	Givhan	Leonard	Turner
Caffey	Godfrey	Moses	Webb
Clark	Hines	Porter	Wilson
Cooper			

—24

Nays:

—0

The Bill:

S. 64. Relating to the municipality of Hamilton, in Marion County, Alabama: To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Hamilton, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Laxson	Shelton
Caffey	Givhan	Leonard	Turner
Clark	Godfrey	Moses	Webb
Cooper	Graham	Porter	Wilson
Crawford	Green	Robison	Word
deGraffenried	Jones	Rutledge	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

S. 62. To abolish the City Court of Demopolis, an inferior court established in lieu of justices of the peace for the Demopolis precinct, Marengo County, and to reestablish the office of justice of the peace in that precinct; providing for the election or appointment of two justices of the peace for the precinct, and prescribing their jurisdiction, powers and duties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Samford
Andrews	Farmer	Kendall	Shelton
Barnett	Gaither	Laxson	Turner
Berryman	Godfrey	Leonard	Wilson
Crawford	Graham	Robison	Word
deGraffenried	Hines	Rutledge	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

S. 60. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 18,000 nor more than 19,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Shelton
Berryman	Givhan	Laxson	Turner
Caffey	Godfrey	Leonard	Webb
Clark	Graham	Robison	Wilson
Cooper			

—24

Nays:

—0

The Bill:

S. 57. To create a Local Government Commission in each county in the State having a population of 500,000 or more, according to the 1960 or any succeeding decennial Federal census, to provide for the membership, organization, functions, powers and duties of such Commission, to provide for the financing of such Commission's work by appropriation from the County and each municipality therein, and the receipt by the Commission of donations, to provide for the submission of recommended municipal mergers, annexations or changes in form of government to a vote of the qualified voters affected thereby, and in the event of a favorable vote, the effectuation of such mergers, annexations or changes in form of government, and to provide for advisory referenda.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Laxson	Samford
Caffey	Givhan	Leonard	Turner
Clark	Godfrey	Moses	Webb
Cooper	Graham	Porter	Wilson
Crawford	Green	Robison	Word
deGraffenried	Kendall	Rutledge	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 75. To provide that in any city of the State having a population of 300,000 or more according to the last or any subsequent federal census it shall be unlawful for any member of the governing body, or officer or employee of the city to be directly or indirectly interested in any work, business or contract, the expense, price or consideration of which is paid from the treasury of the city; to provide that in any such city no member of any committee, board or board of managers, trustees or directors containing one or more members appointed by the governing body of the city, or one or more members whose appointment is subject to the approval of the said governing body, or any officer or employee of the city who is an ex officio member of the said committee or board, shall be directly or indirectly interested in any work, business or contract, the expense, price or consideration of which is paid from the funds over which such committee or board has jurisdiction or which such committee or board administers, and to provide that no member of any such committee or board shall be directly or indirectly interested in furnishing any work, materials, supplies, services or anything which is the subject of a contract made by the committee or board; to provide that membership on any such committee or board shall not result in it being unlawful for a member of the committee or board to be interested in any work for, or business or contract with, any such city, provided the said committee or board does not authorize the said work, business or contract; to provide that it shall be unlawful for any member of the governing body or any officer of any such city to be surety for any person having a contract, work or business with the city for the performance of which a surety may be required; to provide that it shall be unlawful for a member of any such committee or board to be a surety for any person having a contract, work or business with the committee or board for the performance of which a surety may be required; to provide that membership on any such committee or board shall not result in it being unlawful for a member of such committee or board to be a surety for persons having a contract, work or business with the city for the performance of which a surety may be required provided the committee or board does not authorize the said contract, work or business; and to repeal all laws or parts of laws in conflict with the provisions of this Act; and prescribing penalties for the violation of this Act.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Shelton
Berryman	Givhan	Laxson	Turner
Crawford	Graham	Porter	Word
deGraffenried	Green	Robison	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 129. To apply only in counties having populations of not less than 21,800 nor more than 21,850; to prescribe qualifications, compensation and duties of members of the county board of education.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Shelton
Berryman	Givhan	Laxson	Turner
Caffey	Godfrey	Leonard	Webb
Clark	Green	Moses	Wilson
Cooper			

—24

Nays:

—0

The Bill:

H. 128. To apply only in counties having populations of not less than 21,800 nor more than 21,850 according to the last or any subsequent federal decennial census; to provide for the uniform operation of school terms for all public schools within such counties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Cooper	Dumas	Godfrey
Caffey	Crawford	Farmer	Graham
Clark	deGraffenried	Givhan	Green

Laxson	Robison	Shelton	Wilson
Leonard	Rutledge	Turner	Word
Moses	Samford	Webb	Wyatt
Porter			

—24

Nays:

—0

The Bill:

H. 124. To amend Act No. 833, H. 1498, approved September 8, 1961, which levies a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in counties having populations of not less than 80,000 and not more than 96,000 according to the last or any subsequent federal decennial census, and provides for the collection and enforcement of such tax, so as to provide for the use of tax stamps in the collection of the tax and to authorize and provide for the seizure and confiscation of any malt or brewed beverage hereby taxed on which the tax has not been paid and tax stamps affixed pursuant to this Act by any law enforcement officer of the county, of any municipality in the county, or of the state.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Robison
Andrews	Farmer	Kendall	Rutledge
Barnett	Gaither	Laxson	Samford
Berryman	Givhan	Leonard	Shelton
Caffey	Godfrey	Moses	Turner
Clark	Hines	Porter	Webb
Dumas			

—24

Nays:

—0

MOTION TO ADJOURN LOST

At 4:44 P. M., Mr. Givhan moved that the Senate now adjourn until Friday, June 29, 1962, at 10:00 o'clock A. M., which motion was lost.

Yeas 11; Nays 16.

Yeas:

Messrs.:	Gaither	Green	Porter
Andrews	Givhan	Leonard	Rutledge
Cooper	Godfrey	Moses	Wyatt

—11

Nays:

Messrs.:	Dumas	Hines	Shelton
Caffey	Eddins	Laxson	Turner
Clark	Farmer	Robison	Webb
Crawford	Graham	Samford	Word
deGraffenried			

—16

BILLS ON THIRD READING RESUMED

The Bill:

H. 59. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, to-wit:

SUBSTITUTE FOR HOUSE BILL 59

A BILL
TO BE ENTITLED
AN ACT

Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Be It Enacted by the Legislature of Alabama:

Section 1. The State Senate shall be composed of 35 senators representing 35 senatorial districts. Each district shall be entitled to elect one senator, and no more.

Section 2. The State is hereby divided, as follows, into 35 senatorial districts:

First, Lauderdale and Limestone; second, Madison; third, DeKalb and Cherokee; fourth, Colbert and Franklin; fifth, Lawrence and Morgan; sixth, Blount and Cullman; seventh, Etowah; eighth, Calhoun; ninth, Clay, Cleburne and Coosa; tenth, Marion and Winston; eleventh, Jackson and Marshall; twelfth, Lamar and Pickens; thirteenth, Jefferson; fourteenth, St. Clair and Talladega; fifteenth, Tuscaloosa; sixteenth, Bibb and Perry; seventeenth, Autauga, Chilton, and Shelby; eighteenth, Elmore and Tallapoosa; nineteenth, Chambers and Randolph; twentieth, Marengo and Sumter; twenty-first, Greene and Hale; twenty-second, Dallas and Lowndes; twenty-third, Montgomery; twenty-fourth, Bullock and Macon; twenty-fifth, Lee and Russell; twenty-sixth, Choctaw, Clarke and Washington; twenty-seventh, Butler and Covington; twenty-eighth, Wilcox, Conecuh, and Monroe; twenty-ninth, Coffee and Crenshaw; thirtieth, Barbour and Pike; thirty-first, Geneva and Dale; thirty-second, Henry and Houston;

thirty-third, Mobile; thirty-fourth, Baldwin and Escambia; thirty-fifth, Walker and Fayette.

In districts consisting of more than one county, the senators shall not be elected for more than one term consecutively from any one county in the district, but shall reside in and be elected alternately and in turn from each of the counties within such district. The first senator to be elected in such districts shall reside in the county having the largest population, except where that county had the last preceding senator. It is provided, however, that any senator in office on the effective date of this enactment shall be eligible to succeed himself as a member of the Senate, any other provision of this paragraph to the contrary notwithstanding.

Section 3. The House of Representatives of the Legislature shall consist of 106 members apportioned among the several counties of the State as follows:

The county of Jefferson shall have and elect ten representatives; the counties of Mobile and Montgomery shall each have and elect four representatives; the counties of Tuscaloosa, Etowah, Madison, and Calhoun shall each have and elect three representatives; the counties of Walker, Talladega, Dallas, Lauderdale, Morgan, Cullman, Houston, Marshall, Lee, DeKalb, Baldwin, Limestone, Russell, Colbert, Chambers and Jackson shall each have and elect two representatives; and the remaining counties of the State shall each have and elect one representative.

Section 4. The members of the Legislature provided for in this Act shall be elected at the general election to be held in November 1966, and every four years thereafter, until the Legislature is reapportioned as prescribed by law.

Messrs. Webb, Shelton, Turner, Kendall, Word, Barnett, Eddins, Farmer, Graham, Andrews, Clark, Berryman and Wyatt offered the following substitute for the Committee substitute for the bill, H. B. 59, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Be It Enacted by the Legislature of Alabama:

Section 1. The State Senate shall be composed of 35 senators representing 35 senatorial districts. Each district shall be entitled to elect one senator, and no more.

Section 2. The State is hereby divided, as follows, into 35 senatorial districts:

First district, the counties of Lauderdale and Limestone; second district, the counties of Lawrence and Morgan; third district, the counties of Winston and Cullman; fourth district, the county of Madison; fifth district,

the counties of Jackson and Marshall; sixth district, the counties of Blount and St. Clair; seventh district, the county of Calhoun; eighth district, the counties of Talladega and Coosa; ninth district, the counties of Marion and Walker; tenth district, the counties of Macon and Tallapoosa; eleventh district, the county of Tuscaloosa; twelfth district, the counties of Lamar, Pickens and Fayette; thirteenth district, the county of Jefferson; fourteenth district, the counties of Chilton and Elmore; fifteenth district, the county of Etowah; sixteenth district, the counties of Autauga and Lowndes; seventeenth district, the counties of Butler and Covington; eighteenth district, the counties of Bibb and Shelby; nineteenth district, the counties of Choctaw, Clarke and Washington; twentieth district, the counties of Sumter and Marengo; twenty-first district, the counties of Conecuh and Monroe; twenty-second district, the counties of Baldwin and Escambia; twenty-third district, the counties of Geneva and Dale; twenty-fourth district, the counties of Pike and Barbour; twenty-fifth district, the counties of Coffee and Crenshaw; twenty-sixth district, the counties of Bullock and Russell; twenty-seventh district, the counties of Chambers and Lee; twenty-eighth district, the county of Montgomery; twenty-ninth district, the counties of DeKalb and Cherokee; thirtieth district, the counties of Dallas and Wilcox; thirty-first district, the counties of Colbert and Franklin; thirty-second district, the counties of Greene, Hale and Perry; thirty-third district, the county of Mobile; thirty-fourth district, the counties of Cleburne, Clay and Randolph; thirty-fifth district, the counties of Henry and Houston.

In districts consisting of more than one county, the senators shall not be elected for more than one term consecutively from any one county in the district, but shall reside in and be elected alternately and in turn from each of the counties within such district. The first senator to be elected in such districts shall reside in the county having the largest population, except where that county had the last preceding senator. It is provided, however, that any senator in office on the effective date of this enactment shall be eligible to succeed himself as a member of the Senate, any other provision of this paragraph to the contrary notwithstanding.

Section 3. The House of Representatives of the Legislature shall consist of 106 members apportioned among the several counties of the State as follows:

The county of Jefferson shall have and elect ten representatives; the counties of Mobile and Montgomery shall each have and elect four representatives; the counties of Tuscaloosa, Etowah, Madison, and Calhoun shall each have and elect three representatives; the counties of Walker, Talladega, Dallas, Lauderdale, Morgan, Cullman, Houston, Marshall, Lee, DeKalb, Baldwin, Limestone, Russell, Colbert, Chambers and Jackson shall each have and elect two representatives; and the remaining counties of the State shall each have and elect one representative.

Section 4. The members of the Legislature provided for in this Act shall be elected at the general election to be held in November 1966, and every four years thereafter, until the Legislature is reapportioned as prescribed by law.

Mr. Samford moved that the substitute offered by Messrs. Webb, et al, for the Committee substitute for the Bill, H. B. 59, be laid on the table, and the motion to table was lost.

Yeas 10; Nays 18.

Yeas:

Messrs.:	Dumas	Jones	Samford
Caffey	Green	Moses	Wyatt
Crawford	Hines	Robison	

—10

Nays:

Messrs.:	Eddins	Graham	Shelton
Andrews	Farmer	Kendall	Turner
Clark	Gaither	Laxson	Webb
Cooper	Givhan	Porter	Word
deGraffenried	Godfrey	Rutledge	

—18

PAIRED VOTE ANNOUNCED

Mr. Leonard announced that he was paired with Mr. Barnett on this vote; that Mr. Barnett, if present, would vote "No" and he, Mr. Leonard, would vote "Aye."

The question recurred on the substitute offered by Messrs. Webb, et al, for the Committee substitute for the Bill, H. B. 59, and said substitute was then adopted.

Yeas 20; Nays 8.

Yeas:

Messrs.:	Gaither	Kendall	Shelton
Andrews	Givhan	Laxson	Turner
Clark	Godfrey	Moses	Webb
Cooper	Graham	Porter	Word
Eddins	Jones	Rutledge	Wyatt
Farmer			

—20

Nays:

Messrs.:	deGraffenried	Green	Robison
Caffey	Dumas	Hines	Samford
Crawford			

—8

PAIRED VOTE ANNOUNCED

Mr. Leonard announced that he was paired with Mr. Barnett on this vote; that Mr. Barnett, if present, would vote "Aye" and he, Mr. Leonard, would vote "No."

MOTION TO ADJOURN LOST

At 5:40 P. M., Mr. Graham moved that the Senate do now adjourn until Friday, June 29, 1962, at 10 o'clock, which motion was lost.

Yeas 11; Nays 18.

Yeas:

Messrs.:	Gaither	Graham	Moses
Cooper	Givhan	Green	Porter
Crawford	Godfrey	Leonard	Wyatt

—11

Nays:

Messrs.:	Dumas	Kendall	Shelton
Andrews	Eddins	Laxson	Turner
Caffey	Farmer	Robison	Webb
Clark	Hines	Rutledge	Word
deGraffenried	Jones	Samford	

—18

FURTHER CONSIDERATION OF H. B. 59

The Senate then proceeded to further consideration of the bill, H. B. 59.

Mr. Jones offered the following amendment to the Committee Substitute, as amended, for the bill, H. B. 59, to-wit:

In Section 2, second paragraph strike out "tenth district, the counties of Macon and Tallapoosa" and insert "tenth district, the counties of Tallapoosa and Chambers;" also, strike out "twenty-seventh district, the counties of Chambers and Lee;" and insert "the twenty-seventh district, the counties of Macon and Lee;"

On motion of Mr. Samford said amendment offered by Mr. Jones was laid on the table.

Yeas 23; Nays 2.

Yeas:

Messrs.:	Dumas	Kendall	Samford
Andrews	Eddins	Laxson	Turner
Caffey	Farmer	Leonard	Webb
Clark	Graham	Porter	Wilson
Crawford	Green	Robison	Word
deGraffenried	Hines	Rutledge	Wyatt

—23

Nays:

Messrs.:	Jones	Shelton
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—2

Mr. Jones then offered the following amendment to the Committee substitute, as amended, for the bill, H. B. 59, to-wit:

In Section 2, second paragraph, strike out "tenth district, the counties of Macon and Tallapoosa;" and insert "tenth district, the counties of Tallapoosa and Chambers;" also, strike out "twenty-sixth district, the counties of Bullock and Russell;" and insert "twenty-sixth district, the counties of Bullock and Macon;" also, strike out "twenty-seventh district, the counties

of Chambers and Lee;" and insert "twenty-seventh district, the counties of Russell and Lee;"

Also, strike out Section 3 and insert as Section 3 the following:

Section 3. The House of Representatives of the Legislature shall consist of 106 members appointed among the several counties of the State as follows:

The County of Jefferson shall have and elect fourteen representatives; the county of Mobile shall have and elect seven representatives; the county of Montgomery shall have and elect four representatives; the counties of Madison, Tuscaloosa, Etowah and Calhoun shall each have and elect three representatives; the counties of Talladega, Lauderdale, Morgan, Dallas, Walker, Houston, Lee, Baldwin and Marshall shall each have and elect two representatives; and the remaining counties of the State shall each have and elect one representative.

And on motion of Mr. Andrews, said amendment offered by Mr. Jones was laid on the table.

Yeas 14; Nays 5.

Yeas:

Messrs.:	Crawford	Hines	Turner	
Andrews	Eddins	Porter	Webb	
Clark	Farmer	Robison	Word	
Cooper	Green	Samford		—14

Nays:

Messrs.:	deGraffenried	Jones	Laxson	
Caffey	Dumas			—5

MOTION TO ADJOURN LOST

At 6:02 P. M., Mr. Jones moved that the Senate do now adjourn until Friday, June 29, 1962, at 10 o'clock A. M., which resulted in a tie vote.

Yeas 13; Nays 13.

Yeas:

Messrs.:	Gaither	Jones	Moses	
Andrews	Givhan	Kendall	Porter	
Cooper	Godfrey	Laxson	Wilson	
Crawford	Green			—13

Nays:

Messrs.:	Dumas	Robison	Turner	
Caffey	Eddins	Samford	Webb	
Clark	Farmer	Shelton	Word	
deGraffenried	Hines			—13

TIE VOTE

The President and Presiding Officer of the Senate voted "Nay", therefore the motion to adjourn was lost.

FURTHER CONSIDERATION OF H. B. 59

The Senate proceeded to further consideration of the bill, H. B. 59.

Mr. Dumas then offered the following amendment to the Committee Substitute, as amended, for the bill, H. B. 59, to-wit:

H. B. 59 Is hereby amended by striking out the first paragraph of Section 2 and inserting in lieu thereof the following:

"Sec. 2. The senate is hereby divided into thirty-five senatorial districts, as follows: First, Lauderdale and Limestone; Second, Madison; Third, Colbert, Franklin, Marion; Fourth, Lawrence, Morgan; Fifth, Jackson, Marshall; Sixth, DeKalb, Cheokee, Cleburne, Randolph; Seventh, Etowah; Eighth, Calhoun; Ninth, Blount, Cullman, Winston; Tenth, Fayette, Lamar, Walker; Eleventh, Tuscaloosa; Twelfth, Greene, Hale, Pickens, Sumter; Thirteenth, Bibb, Chilton, Perry, Shelby; Fourteenth, St. Clair, Talladega; Fifteenth, Chambers, Lee; Sixteenth, Clay, Coosa, Elmore, Tallapoosa; Seventeenth, Montgomery; Eighteenth, Barbour, Henry, Russell; Nineteenth, Dale, Houston; Twentieth, Coffee, Covington, Geneva; Twenty-first, Bullock, Crenshaw, Macon, Pike; Twenty-second, Autauga, Dallas, Lowndes; Twenty-third, Butler, Conecuh, Monroe, Wilcox; Twenty-fourth, Choctaw, Clarke, Marengo, Washington; Twenty-fifth, Baldwin, Escambia; Twenty-sixth, Precincts , and Jefferson County; Twenty-seventh, Precincts , and Jefferson County; Twenty-eighth, Precincts , and Jefferson County; Twenty-ninth, Precincts , and Jefferson County; Thirtieth, Precincts , and Jefferson County; Thirty-first, Precincts , and Jefferson County; Thirty-second, Precincts , and Jefferson County; Thirty-third Precincts , and Mobile County; thirty-fourth, Precincts , and Mobile County; Thirty-fifth, Precincts , and Mobile County."

On motion of Mr. Shelton, said amendment offered by Mr. Dumas was laid on the table.

Mr. Jones then offered the following substitute for the Committee substitute, as amended, for the bill, H. B. 59, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Be It Enacted by the Legislature of Alabama:

Section 1. The State Senate shall be composed of 35 senators repre-

senting 35 senatorial districts. Each district shall be entitled to elect one senator, and no more.

Section 2. The State is hereby divided, as follows, into 35 senatorial districts:

First district, the county of Jefferson; second district, the county of Mobile; third district, the county of Montgomery; fourth district, the counties of Baldwin and Escambia; fifth district, the counties of Tuscaloosa and Pickens; sixth district, the counties of Choctaw and Washington; seventh district, the counties of Clarke and Wilcox; eighth district, the counties of Conecuh and Covington; ninth district, the counties of Geneva and Coffee; tenth district, the counties of Henry and Houston; eleventh district, the counties of Barbour and Dale; twelfth district, the counties of Pike and Crenshaw; thirteenth district, the counties of Butler and Monroe; fourteenth district, the counties of Marengo and Sumter; fifteenth district, the counties of Macon and Bullock; sixteenth district, the counties of Lowndes and Dallas; seventeenth district, the counties of Greene and Hale; eighteenth district, the counties of Bibb and Perry; nineteenth district, the counties of Chilton and Autauga; twentieth district, the counties of Elmore and Tallapoosa; twenty-first district, the counties of Randolph and Chambers; twenty-second district, the counties of Lee and Russell; twenty-third district, the counties of Coosa and Clay; twenty-fourth district, the counties of Fayette and Walker; twenty-fifth district, the counties of Marion and Lamar; twenty-sixth district, the counties of Cullman and Winston; twenty-seventh district, the counties of Shelby and Talladega; twenty-eighth district, the counties of Calhoun and Cleburne; twenty-ninth district, the counties of Etowah and Cherokee; thirtieth district, the counties of Lawrence and Morgan; thirty-first district, the counties of St. Clair and Blount; thirty-second district, the counties of Lauderdale and Limestone; thirty-third district, the counties of Madison and Jackson; thirty-fourth district, the counties of Marshall and DeKalb; thirty-fifth district, the counties of Colbert and Franklin.

In districts consisting of more than one county, the senators shall not be elected for more than one term consecutively from any one county in the district, but shall reside in and be elected alternately and in turn from each of the counties within such district. The first senator to be elected in such districts shall reside in the county having the largest population, except where that county had the last preceding senator. It is provided, however, that any senator in office on the effective date of this enactment shall be eligible to succeed himself as a member of the Senate, any other provision of this paragraph to the contrary notwithstanding.

Section 3. The House of Representatives of the Legislature shall consist of 106 members apportioned among the several counties of the State as follows:

The County of Jefferson shall have and elect fourteen representatives; the county of Mobile shall have and elect seven representatives; the county of Montgomery shall have and elect four representatives; the counties of Madison, Tuscaloosa, Etowah and Calhoun shall each have and elect three representatives; the counties of Talladega, Lauderdale, Morgan, Dallas, Walker, Houston, Lee, Baldwin and Marshall shall each have and elect two representatives; and the remaining counties of the State shall each have and elect one representative.

Section 4. The members of the Legislature provided for in this Act shall be elected at the general election to be held in November 1966, and

every four years thereafter, until the Legislature is reapportioned as prescribed by law.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Ninth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Ninth Legislative Day was approved by the Senate.

ADJOURNMENT

At 6:30 P. M., on motion of Mr. Crawford, pending further consideration of H. B. 59, the Senate adjourned until tomorrow, Friday June 29, 1962 at 10 o'clock A. M.

Yeas 16; Nays 13.

Yeas:

Messrs.:	Givhan	Jones	Porter	
Andrews	Godfrey	Kendall	Rutledge	
Cooper	Graham	Laxson	Wilson	
Crawford	Green	Moses	Wyatt	
Gaither				—16

Nays:

Messrs.:	Dumas	Robison	Turner	
Caffey	Eddins	Samford	Webb	
Clark	Farmer	Shelton	Word	
deGraffenried	Hines			—13

TENTH LEGISLATIVE DAY

FRIDAY, JUNE 29, 1962

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by Honorable Norman R. Crawford, Senator from the Eighteenth District.

ROLL CALL

Present:

Messrs.:	Dumas	Green	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Laxson	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Word
Crawford	Graham	Robison	Wyatt
deGraffenried			

—32

JOURNAL

On motion of Mr. Rutledge, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively and finds same correctly enrolled, to-wit:

S. 37. To Fix the Salary of Deputy Circuit Solicitor No. 2 of the Sixth Judicial Circuit of Alabama.

HUGH MOSES,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Robison:

S. 74. To provide for the study of ways and means of solving problems of mental health and mental retardation, creating a legislative committee for that purpose.

Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Robison, Chairman of the Standing Committee on Finance

and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Eddins:

S. 70. To create an interim legislative committee to investigate rates and charges of newspapers for legal and political advertisements to determine if regulatory legislation is needed or desirable; to provide for the selection of such committee; to prescribe its powers, duties, and authority, and to appropriate funds for carrying out the provisions of this Act.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Bishop (with notice and proof):

H. 141. Relating to Colbert County; fixing the compensation of the chairman of the board of revenue, court of county commissioners, or other like governing body of Colbert County.

By Mr. Steagall:

H. 142. To validate in certain cases elections held in any county in this State, which has a population of less than fifty thousand according to the last federal decennial census, for the purpose of authorizing a special tax for public hospital purposes under the Constitution.

By Mr. Steagall:

H. 143. To validate in certain cases elections heretofore held in counties having populations of less than fifty thousand according to the last federal decennial census or in school districts in any of such counties for the purpose of authorizing a special tax for any school purpose, or for school purposes generally, under the Constitution.

By Mr. Steagall:

H. 144. To validate in certain cases elections heretofore held in counties having populations of less than fifty thousand according to the last federal decennial census, or in school districts or municipalities in such counties for the purpose of authorizing any special tax under the Constitution.

By Mr. Harris:

H. 145. Relating to counties having populations of not less than 40,000 nor more than 45,000; to provide additional compensation for the chief deputy and all other deputy sheriffs of all such counties.

By Mr. Oden:

H. 146. Proposing an amendment to the Constitution of Alabama relative to the rate of taxation on property in the City of Russellville for public school purposes.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Sessions et al (with notice and proof):

H. 148. To authorize the Registers of all Circuit Courts, in Counties having a population of 500,000 inhabitants or more, according to the last or any subsequent Federal Census, to destroy all documents, papers and exhibits filed in divorce cases in such Courts after the expiration of 20 years from the filing date of the final decree in such cases, and making the Minute Books and Final Record Books the official Court Record of such destroyed documents; but no authority is given herein to destroy the dockets, docket sheets, Minute Books, Final Record Books or indices in such cases.

By Messrs. Roberts and Reynolds (Madison) (with notice and proof):

H. 149. To amend further Act No. 658, H. 1030, Regular Session 1959, an act providing for a county privilege license or excise tax on cigarettes in Madison County (Acts 1959, vol. 2, p. 1592).

By Messrs. Bassett and Sorrell (with notice and proof):

H. 152. To alter or rearrange the boundary lines of the City of Troy, Pike County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Pike County, Alabama.

By Messrs. Oakley and Nettles:

H. 153. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 18,000 nor more than 19,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

By Mr. Clark:

S. 71. To amend the title to and Section 1 of Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956 (as heretofore amended), entitled, "An Act relative to municipalities in this state having a population of not less than 23,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance

companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof," so as to make said Act applicable to municipalities having a population of not less than 8,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

By Mr. Godfrey:

S. 72. To propose an amendment to the Constitution authorizing the issuance and sale of warrants payable from the proceeds of special school taxes in DeKalb County for the purpose of re-financing any deficit created by proration of school funds prior to June 1, 1962.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Shelton:

S. 73. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 70,000 nor more than 96,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

By Mr. Sullivan:

H. 151. To fix the compensation of the county solicitor of any county having a population of not less than 21,800 nor more than 21,950 according to the 1960 or any subsequent federal decennial census.

RESOLUTION

Mr. Robison offered the following Senate Joint Resolution, to-wit:

S. J. R. 6. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING that when the two houses adjourn today they adjourn to meet again on Monday, July 2, 1962; and when they adjourn on Monday, July 2 they adjourn to meet again on Tuesday, July 3, 1962; and when they adjourn on Tuesday, July 3 they adjourn to meet again on Thursday, July 5, 1962; and when they adjourn on Thursday, July 5 they adjourn to meet again on Friday, July 6, 1962.

Mr. Rutledge offered the following substitute for the Resolution, to-wit:

SUBSTITUTE FOR S. J. R. 6

RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That when the two houses adjourn today, they adjourn to meet again at twelve noon on Thursday, July 5, 1962, and again on Friday at ten o'clock on July 6, 1962.

Mr. Robison moved that the substitute offered by Mr. Rutledge for the Resolution, S. J. R. 6, be laid on the table, and the motion to table was lost.

Yeas 14; Nays 15.

Yeas:

Messrs.:	Farmer	Laxson	Webb
Andrews	Graham	Robison	Wilson
Berryman	Hines	Samford	Word
Clark	Kendall	Turner	

—14

Nays:

Messrs.:	deGraffenried	Godfrey	Moses
Caffey	Dumas	Golson	Porter
Cooper	Eddins	Green	Rutledge
Crawford	Gaither	Jones	Shelton

—15

The question recurred on the substitute offered by Mr. Rutledge for the Resolution, S. J. R. 6, and said substitute was then adopted.

And said Resolution, S. J. R. 6 as thus amended by the substitute, was then adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 17. Relating to municipalities having populations of not less than 48,000 nor more than 60,000, according to the most recent federal decennial census; limiting their authority to impose privilege license taxes.

Also:

H. 63. Relating to the Fourteenth Judicial Circuit; fixing the salary of the Official Court Reporter appointed by and serving under the Presiding Judge of such circuit and providing for the payment thereof.

Also:

H. 75. To provide that in any city of the State having a population of 300,000 or more according to the last or any subsequent federal census it shall be unlawful for any member of the governing body, or officer or employee of the city to be directly or indirectly interested in any work, business or contract, the expense, price or consideration of which is paid from the treasury of the city; to provide that in any such city no member of any committee, board or board of managers, trustees or directors containing one or more members appointed by the governing body of the city, or one or more members whose appointment is subject to the approval of the said governing body, or any officer or employee of the city who is an ex officio member of the said committee or board, shall be directly or indirectly interested in any work, business or contract, the expense, price or consideration of which is paid from the funds over which such committee or board has jurisdiction or which such committee or board administers, and to provide that no member of any such committee or board shall be di-

rectly or indirectly interested in furnishing any work, materials, supplies, services or anything which is the subject of a contract made by the committee or board; to provide that membership on any such committee or board shall not result in it being unlawful for a member of the committee or board to be interested in any work for, or business or contract with, any such city, provided the said committee or board does not authorize the said work, business or contract; to provide that it shall be unlawful for any member of the governing body or any officer of any such city to be surety for any person having a contract, work or business with the city for the performance of which a surety may be required; to provide that it shall be unlawful for a member of any such committee or board to be a surety for any person having a contract, work or business with the committee or board for the performance of which a surety may be required; to provide that membership on any such committee or board shall not result in it being unlawful for a member of such committee or board to be a surety for persons having a contract, work or business with the city for the performance of which a surety may be required provided the committee or board does not authorize the said contract, work or business; and to repeal all laws or parts of laws in conflict with the provisions of this Act; and prescribing penalties for the violation of this Act.

Also:

H. 95. To amend Act No. 853, H. 1152, Regular Session 1961 (Acts 1961, Vol. 2, p. 1292) which requires the commissioner and state department of revenue to collect sales taxes for the town of Camp Hill, Tallapoosa County.

Also:

H. 102. To amend Section 1 of Act No. 158, H. 399, approved August 1, 1961 (Acts of Alabama 1961, p. 206) which act regulates the compensation of coroners in counties of not less than 96,000 nor more than 106,000 population, so as to authorize the payment of an expense allowance to the coroner in any such county.

Also:

H. 122. To extend, alter and rearrange the boundaries of the Town of Mount Vernon, so as to extend the corporate limits thereof.

Also:

H. 124. To amend Act No. 833, H. 1498, approved September 8, 1961, which levies a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in counties having populations of not less than 80,000 and not more than 96,000 according to the last or any subsequent federal decennial census, and provides for the collection and enforcement of such tax, so as to provide for the use of tax stamps in the collection of the tax and to authorize and provide for the seizure and confiscation of any malt or brewed beverage hereby taxed on which the tax has not been paid and tax stamps affixed pursuant to this Act by any law enforcement officer of the county, of any municipality in the county, or of the state.

Also:

H. 126. Relating to counties having populations of not less than 25,700 nor more than 25,950; to alter, rearrange and extend the corporate limits of certain towns within such counties.

Also:

H. 128. To apply only in counties having populations of not less than 21,800 nor more than 21,850 according to the last or any subsequent federal decennial census; to provide for the uniform operation of school terms for all public schools within such counties.

Also:

H. 129. To apply only in counties having populations of not less than 21,800 nor more than 21,850; to prescribe qualifications, compensation and duties of members of the county board of education.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

UNFINISHED BUSINESS BILLS ON THIRD READING

The Senate proceeded to consideration of the unfinished business for today which was the Bill:

H. 59. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

The question was on the substitute offered by Mr. Jones for the Committee substitute, as amended, for the Bill, H. B. 59, which said substitutes are set out at length in the Journal of the Senate for the Ninth Legislative Day.

Mr. Shelton moved that said substitute offered by Mr. Jones be laid on the table, and the motion to table prevailed.

Yeas 20; Nays 6.

Yeas:

Messrs.:	Caffey	Dumas	Godfrey
Andrews	Clark	Eddins	Green
Berryman	deGraffenried	Farmer	Hines

Laxson
Robison
Rutledge

Samford
Shelton

Turner
Webb

Wilson
Word

—20

Nays:

Messrs.:
Cooper

Crawford
Gaither

Jones
Kendall

Porter

—6

The Bill:

S. 68. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing special assistants for sheriffs of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:
Andrews
Barnett
Caffey
Cooper
Crawford
deGraffenried

Dumas
Eddins
Gaither
Givhan
Godfrey
Golson

Graham
Green
Hines
Jones
Laxson
Moses

Porter
Robison
Shelton
Turner
Word
Wyatt

—24

Nays:

—0

The Bill:

S. 67. To provide for branch banking in Baldwin County; authorizing any bank located in the county to establish one or more branches, additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business at Daphne in said county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:
Andrews
Berryman
Clark
Cooper
Crawford
Dumas

Eddins
Farmer
Gaither
Godfrey
Golson
Graham

Green
Jones
Kendall
Laxson
Moses
Porter

Robison
Samford
Shelton
Webb
Word
Wyatt

—24

Nays:

—0

The Bill:

S. 69. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 16,500 nor more than 17,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Robison
Andrews	Eddins	Jones	Rutledge
Barnett	Farmer	Kendall	Webb
Berryman	Golson	Laxson	Wilson
Caffey	Graham	Moses	Word
Clark	Green	Porter	Wyatt
Crawford			

—24

Nays:

—0

The Bill:

H. 118. To apply only in counties in the state having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

was taken up.

Mr. Laxson offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. 118

Strike out Section 7 of the bill and insert in lieu thereof the following:

Section 7. The chief clerk shall check off the list of qualified voters the name of each person as he is permitted to enter the voting area. The voter shall be issued a voter identification card which shall be presented

to the assistant clerk in charge of the voting machine and surrendered to him before the voter enters the voting machine. The identification cards shall each have printed on them the words "voter identification card", and the same shall contain a space in which shall be entered the name of the elector and the initials of the election officer who delivers the card. Identification cards shall be procured by the same officer who procures other election supplies and shall be paid for from the same funds that the cost of other election supplies are paid. The assistant clerk in charge of the voting machine shall require that each voter sign at the machine a poll list before he is allowed to enter the machine to vote. The statement of canvass as required by law shall be made for each voting machine. On each statement of canvass form which the inspector certifies he shall show separately for each machine the total number of votes cast on that machine as shown by the public counters thereon, and the total number of electors' names recorded on the poll list under the supervision of the clerk in charge of such machine. He shall also show thereon the total number of votes cast at the voting center and the total number of electors' names recorded on all the poll lists there. A separate poll list of persons casting challenged votes shall be kept by the officials.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gaither	Hines	Rutledge
Andrews	Givhan	Jones	Samford
Barnett	Godfrey	Laxson	Webb
Cooper	Golson	Moses	Wilson
Crawford	Graham	Porter	Word
deGraffenried	Green	Robison	Wyatt
Dumas			

—24

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gaither	Hines	Rutledge
Andrews	Givhan	Jones	Samford
Barnett	Godfrey	Laxson	Webb
Cooper	Golson	Moses	Wilson
Crawford	Graham	Porter	Word
deGraffenried	Green	Robison	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 120. To provide further for the compensation of election officials in each county having a population of not less than 110,000 nor more than 160,000, according to the 1960 or any subsequent federal decennial census.

was taken up.

The Standing Committee on Local Legislation reported the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. B. 120

A BILL TO BE ENTITLED AN ACT

To provide further for the compensation of election officials in each county having a population of not less than 110,000 nor more than 160,000, according to the 1960 or any subsequent federal decennial census.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, the officers appointed to hold elections, upon proper proof of service rendered, shall each be entitled to four dollars (\$4) a day in addition to all other compensation provided for by law. In case of a municipal election or primary, the additional compensation shall be paid by the city or town holding the election or primary; in all other cases the additional compensation shall be paid by the county and no part thereof shall be paid or refunded by the state.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison
Andrews	Dumas	Hines	Rutledge
Barnett	Eddins	Jones	Webb
Berryman	Farmer	Laxson	Wilson
Caffey	Golson	Moses	Word
Clark	Graham	Porter	Wyatt
Crawford			

—24

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison
Andrews	Dumas	Hines	Rutledge
Barnett	Eddins	Jones	Webb
Berryman	Farmer	Laxson	Wilson
Caffey	Golson	Moses	Word
Clark	Graham	Porter	Wyatt
Crawford			

—24

Nays:

—0

The Bill:

H. 131. To validate the incorporation of municipalities attempted to be organized in territory of less than 1,000 inhabitants, in which in any election held for the purpose of incorporation, since June 30, 1961, a majority of the electors participating in said election voted in favor of incorporation, but which election may have been irregular because of failure to comply with requirements as to publication or posting or any other procedures required by law.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Robison
Andrews	Eddins	Jones	Samford
Barnett	Farmer	Kendall	Shelton
Berryman	Givhan	Laxson	Turner
Caffey	Golson	Moses	Word
Crawford	Green	Porter	Wyatt
deGraffenried			

—24

Nays:

—0

The Bill:

H. 137. To amend Act No. 294, H. 707, Regular Session 1959 (Acts 1959, vol. 1, p. 863), an act levying county sales and use taxes for public school purposes in Greene County, so as to provide an exemption from such taxes to any person, firm, or corporation establishing a manufacturing, compounding, processing or other industrial plant, mine or quarry within the county.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Porter	
Andrews	Eddins	Hines	Robison	
Barnett	Farmer	Jones	Shelton	
Berryman	Gaither	Kendall	Turner	
Caffey	Golson	Laxson	Wilson	
Clark	Graham	Moses	Wyatt	
Cooper				—24

Nays:

—0

The Bill:

H. 31. To amend Act No. 343 of the legislature of Alabama of 1953, approved August 17, 1953, Acts of Alabama of 1953, page 404 et seq.).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gaither	Hines	Robison	
Andrews	Givhan	Jones	Rutledge	
Barnett	Godfrey	Kendall	Samford	
Cooper	Golson	Laxson	Wilson	
Crawford	Graham	Moses	Word	
Dumas	Green	Porter	Wyatt	
Farmer				—24

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 103. To provide for the distribution and use of revenue received from the property tax levied as authorized by Amendment CCII of the Constitution of Alabama 1901 in any county having a population of not less than 96,000 nor more than 106,000.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 6. Relative to adjournment of the two Houses to meet again on Thursday, July 5, 1962 and again on Friday, at ten o'clock on July 6, 1962.

OAKLEY MELTON, JR.,
Clerk.

FURTHER CONSIDERATION OF H. B. 59

The Senate then proceeded to further consideration of the bill:

H. 59. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Mr. Crawford then offered the following substitute for the committee substitute, as amended, for the bill, H. B. 59, to-wit:

A BILL TO BE ENTITLED AN ACT

To fix the number of senators and representatives in the legislature, divide the state into senatorial districts, and apportion the senators and representatives among the several districts and counties.

Be It Enacted by the Legislature of Alabama:

Section 1. The senate of the legislature shall be composed of 35 senators representing 35 senatorial districts, each district to elect one senator and no more.

Section 2. The state is hereby divided into 35 senatorial districts as follows:

First, the counties of Lauderdale and Limestone; second, the counties of Lawrence and Morgan; third, the counties of Cullman and Winston; fourth, the county of Madison; fifth, the counties of Jackson and Marshall; sixth, the county of Etowah; seventh, the county of Calhoun; eighth, the county of Talladega; ninth, the counties of Randolph and Chambers; tenth, the counties of Elmore and Tallapoosa; eleventh, the county of Tuscaloosa; twelfth, the counties of Fayette and Walker; thirteenth, the county of Jefferson; fourteenth, the counties of Pickens and Lamar; fifteenth, the counties of Autauga, Chilton and Shelby; sixteenth, the counties of Lowndes and Wilcox; seventeenth, the counties of Butler, Covington and Conecuh; eighteenth, the counties of Bibb and Perry; nineteenth, the counties of Clarke, Choctaw and Washington; twentieth, the counties of Marengo and Sumter; twenty-first, the counties of Baldwin, Escambia and Monroe; twenty-second, the counties of Blount and St. Clair; twenty-third, the counties of Dale and Geneva; twenty-fourth, the counties of Barbour and Pike; twenty-fifth, the counties of Coffee and Crenshaw; twenty-sixth, the counties of Bullock and Macon; twenty-seventh, the counties of Lee and Russell; twenty-eighth, the county of Montgomery; twenty-ninth, the counties of Cherokee and DeKalb; thirtieth, the county of Dallas; thirty-first, the counties of Colbert, Franklin and Marion; thirty-second, the counties of Greene and Hale; thirty-third, the county of Mobile; thirty-

fourth, the counties of Coosa, Clay and Cleburne; thirty-fifth, the counties of Henry and Houston.

Section 3. The house of representatives of the legislature shall consist of 106 members distributed among the several counties of the state as follows:

The county of Jefferson shall have and elect 17 representatives; the county of Mobile shall have and elect 8 representatives; the county of Montgomery shall have and elect 4 representatives; the counties of Calhoun, Etowah, Madison, and Tuscaloosa shall each have and elect 3 representatives; the counties of Talladega, Lauderdale, Morgan, Dallas, and Walker shall each have and elect 2 representatives; the remaining counties of the state shall each have and elect 1 representative.

Section 4. This Act shall take effect for the election of senators and representatives at the general election to be held in November 1966, and shall be effective thereafter until the legislature is reapportioned according to law.

Mr. Webb moved that said substitute offered by Mr. Crawford be laid on the table, and the motion to table was lost.

Yeas 14; Nays 18.

Yeas:

Messrs.:	deGraffenried	Hines	Shelton
Andrews	Farmer	Kendall	Webb
Barnett	Godfrey	Rutledge	Word
Clark	Graham	Samford	

—14

Nays:

Messrs.:	Dumas	Green	Robison
Berryman	Eddins	Jones	Turner
Caffey	Gaither	Laxson	Wilson
Cooper	Givhan	Moses	Wyatt
Crawford	Golson	Porter	

—18

The question recurred on the substitute offered by Mr. Crawford for the Committee substitute, as amended, for the Bill, H. B. 59, and said substitute was then adopted.

Yeas 18; Nays 13.

Yeas:

Messrs.:	Dumas	Green	Robison
Berryman	Eddins	Jones	Turner
Caffey	Gaither	Laxson	Wilson
Cooper	Givhan	Moses	Wyatt
Crawford	Golson	Porter	

—18

Nays:

Messrs.:
Andrews
Barnett
Clark

deGraffenried
Farmer
Graham
Hines

Kendall
Rutledge
Samford

Shelton
Webb
Word

—13

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Tenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Tenth Legislative Day was approved by the Senate.

ADJOURNMENT

At 11:10 A.M. on motion of Mr. Moses, pending further consideration of H. B. 59, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Thursday, July 5, 1962, at 12:00 o'clock Noon.

Yeas 20; Nays 11.

Yeas:

Messrs.:
Andrews
Barnett
Berryman
Clark
Cooper

Farmer
Gaither
Givhan
Godfrey
Golson

Graham
Green
Kendall
Moses
Porter

Turner
Webb
Wilson
Word
Wyatt

—20

Nays:

Messrs.
Caffey
Crawford

deGraffenried
Dumas
Eddins

Hines
Laxson
Robison

Rutledge
Samford
Shelton

—11

ELEVENTH LEGISLATIVE DAY

THURSDAY, JULY 5, 1962

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by Dr. Joel McDavid, Pastor, First Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Laxson	Webb
Clark	Godfrey	Leonard	Wilson
Cooper	Golson	Moses	Word
Crawford	Graham	Porter	Wyatt
deGraffenried	Green	Robison	

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JOURNAL

On motion of Mr. Wilson, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Clark:

S. 75. To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties.

Committee on Local Legislation.

By Mr. Gaither:

S. 76. To authorize and direct the Alabama Education Authority to allocate and distribute certain funds to the county board of education of Coosa County for the purpose of erecting additional classrooms for negro schools, upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959.

Committee on Finance and Taxation.

By Mr. Moses:

S. 77. To provide for advance payment of dues by State-Chartered Member Credit Unions to the State Organization, Alabama Credit Union League, and the amortization over a period up to and including fifteen years of the credit extended to the Member Credit Unions in the form of advance dues certificates issued by the Alabama Credit Union League.

Committee on Banking.

By Mr. Dumas:

S. 78. Relating to the municipality of Kimberly in Jefferson County: to alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the present special session of the Legislature of Alabama, for introduction and passage of a Bill the substance of which, as distinguished from details, is and will be the substance, as distinguished from detail of the following:

LOCAL BILL WITH NOTICE AND PROOF

A BILL TO BE ENTITLED AN ACT

Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Kimberly in Jefferson County are hereby altered, rearranged, and extended to include within the corporate limits of the Town of Kimberly the following described territory situated in Jefferson County, Alabama, in addition to that already within the corporate limits, to-wit:

Part of the NE quarter of the SE quarter of Section 2, Township 15 South, Range 3 West, situated in Jefferson County, Alabama, more particularly described as follows:

Begin at the NE corner of said quarter-quarter section and run thence westerly along north line thereof for distance of 187.40 feet to a point on western line of the right-of-way of U. S. Highway 31 as same as presently laid out and constructed from point of beginning; thus continue westerly along the north line of quarter-quarter section for distance of 697.60 feet; thence turn angle of 90 degrees to left and run southwardly for a distance of 667.62 feet then turn angle of 90 degrees to left and run eastwardly for a distance of 631.81 feet to a point on the westerly line of

aforementioned right-of-way of U. S. Highway 31; run thence northwardly along arc of curve which forms the westerly line of said right-of-way for a distance of 671.38 feet to point of beginning. Mineral and mining rights excepted.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 9, 16, 23, 30, 1962, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 2 day of July, 1962.

O. H. PUTMAN, JR.,
Notary Public, Alabama State at Large.
My Commission Expires May 29, 1965.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Roberts, Ashworth, Engel, Murphy, Rogers (Mobile), Cornett, Smith (Russell), Lee, Reynolds (Madison), Grouby, Dunn, Albea, Merrill and Daniel:

H. J. R. 22. Whereas, there presently exists in the State of Alabama no adequate shrine honoring and memorializing the gallant men and women of this state who so resolutely and devotedly answered their country's call in the world wide struggle of World War II and in the Korean conflict; and

Whereas, this body has been advised by the United States Navy Department that the USS ALABAMA, one of the greatest war vessels of America's naval history, is available as a gift from the United States Government provided that this great battleship be promptly removed to, and permanently established upon, an appropriate site within the State of Alabama; else this great vessel will be stricken from the roles of the Navy and scrapped, thus losing forever to posterity a significant part of Alabama and United States history; and

Whereas, the USS Alabama, the fourth vessel on the Register of the United States Navy to bear the honored name of this great State, she being a fighting veteran of most of the great Pacific campaigns including among others the Gilbert, Caroline, Mariana Islands, Okinawa and the Philippines, would serve as a proud and worthy symbol and central shrine for a State Memorial Park forever dedicated to the memory of those great Alabamians, both living and dead, who served their country and state in a time of great travail, provided that prompt and adequate measures can be taken to save and secure this mighty war ship; and

Whereas, it is the conviction of this body that the united and dedicated efforts of the men, women, and children of Alabama can accomplish a program of this magnitude; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING:

1. That there exists a present and urgent need for the creation of a State Memorial to those men and women of Alabama who served in the Armed Forces of the United States during World War II and the Korean conflict; and,

2. That the procurement of the Battleship USS ALABAMA permanently established as the central shrine in an appropriate Memorial Park would fulfill a great and existing need for the State of Alabama and its people; and,

3. Would thus forever provide and constitute a source of pride and inspiration to generations of Alabamians yet unborn; and

4. That this body requests the Governor of Alabama to appoint a committee of interested and competent persons to investigate the feasibility of obtaining this great battleship and of establishing it in an appropriate shrine, and if such undertaking be judged expedient, to formulate a plan of action to accomplish this purpose, such committee to report its findings to the 1963 Regular Session of the Legislature; and

5. That this body memorializes and petitions the Secretary of the Department of Defense and the Secretary of the Navy to withhold any and all actions and plans to dismantle or dispose of the USS ALABAMA until the proposed committee shall report, and a determination shall be made regarding this proposition; and

6. That this body requests the Honorable Lister Hill and Honorable John Sparkman, United States Senators of Alabama, to call upon the President of the United States, the Secretary of Defense, and the Secretary of the Navy to request that all actions and plans to dismantle or dispose of the USS ALABAMA be withheld until the proposed committee shall report and a determination shall be made regarding this proposition.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Secretary of the Department of Defense, to the Secretary of the Navy, to the Honorable Lister Hill and to the Honorable John Sparkman.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Kendall, the Rules were suspended and the Resolution, H. J. R. 22 set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 118. To apply only in counties in the state having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 120. To provide further for the compensation of election officials in each county having a population of not less than 110,000 nor more than 160,000, according to the 1960 or any subsequent federal decennial census.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Meade:

H. J. R. 23. Be It Resolved by The House of Representatives, The Senate Concurring: That the new road through the town of Five Points in Cherokee County, Alabama, from Alabama Highway 35 to the Georgia line is hereby designated and shall be known as "Godfrey Drive."

Be It Further Resolved, That the State Highway Department is authorized and directed to cause to be erected and maintained at all times along the route herein described, appropriate signs and markers indicating that such road is the "Godfrey Drive."

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Porter, the Rules were suspended and the Resolution, H. J. R. 23 set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 31. To amend Act No. 343 of the legislature of Alabama of 1953, approved August 17, 1953, (Acts of Alabama of 1953, page 404 et seq.).

Also:

H. 131. To validate the incorporation of municipalities attempted to be organized in territory of less than 1,000 inhabitants, in which in any election held for the purpose of incorporation, since June 30, 1961, a majority of the electors participating in said election voted in favor of incorporation, but which election may have been irregular because of failure to comply with requirements as to publication or posting or any other procedures required by law.

Also:

H. 137. To amend Act No. 294, H. 707, Regular Session 1959 (Acts 1959, vol. 1, p. 863), an act levying county sales and use taxes for public school purposes in Greene County, so as to provide an exemption from such taxes to any person, firm, or corporation establishing a manufacturing, compounding, processing or other industrial plant, mine or quarry within the county.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 103. To provide for the distribution and use of revenue received from the property tax levied as authorized by Amendment CCII of the Constitution of Alabama 1901 in any county having a population of not less than 96,000 nor more than 106,000.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Mr. Hearn:

H. 150. To create the office of deputy solicitor for all counties having two court houses at which any of the business of the circuit court or other court of record therein is regularly transacted from time to time and having a population of not less than 36,000 nor more than 75,000, according to the last or any subsequent federal decennial census; to fix the salary, provide for the appointment and removal, and define the powers and duties of such deputy solicitors; and to repeal all general and local laws in conflict herewith.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 150—to the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Branyon:

H. 156. To regulate the compensation and allowance of election officers of counties having populations of not less than 15,500 nor more than 16,300, according to the 1960 or any subsequent federal decennial census.

Also:

By Mr. Hearn:

H. 159. To provide for the compensation and expense allowance of members of the county board of education in all counties having populations of not less than 46,600 nor more than 49,050 according to the 1960 or any subsequent federal decennial census; providing for further compensation for certain other services performed for the school system in any county to which this Act applies in addition to services and duties ordinarily and customarily rendered by board members in such counties; providing for reimbursements for reasonable expenses incurred in performance of such extraordinary services; providing for the time that such increase in compensation shall become effective; and providing penalties for violation of the terms of this Act.

Also:

By Mr. Callahan:

H. 160. To amend Act No. 283, H. 561, approved August 23, 1955, which authorizes and provides for the establishment of a fund designated as the "Solicitor's Fund" for the Solicitor of the Sixth Judicial Circuit, which is drawn upon by the Circuit Solicitor of the Sixth Judicial Circuit, and provides that the Solicitor's fees taxed in all criminal proceedings in the Circuit Court of Tuscaloosa County be paid into such Fund for such purpose (1955 Acts, Volume 1, page 649).

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 156 and 160—to the Committee on Local Legislation

H. B. 159—to the Committee on Finance and Taxation

MOTION TO RECONSIDER ADOPTED

On motion of Mr. Wyatt, the Senate reconsidered the vote by which the Bill, S. B. 41, was indefinitely postponed on the Seventh Legislative Day.

BILLS ON THIRD READING

The Bill:

S. 41. To amend Act No. 153, H. 449, approved June 30, 1953 (Acts of Alabama 1953, vol. 1, p. 195), as amended by Act No. 275, H. 451, ap-

proved August 7, 1961, and fixing the minimum salary of firemen and policemen in certain cities classified on a population basis.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Shelton
Berryman	Givhan	Laxson	Turner
Caffey	Godfrey	Leonard	Webb
Clark	Golson	Moses	Wyatt
Cooper			

—24

Nays:

—0

MOTION TO RECONSIDER

Mr. Turner moved that the Senate reconsider the vote by which it adopted the Crawford substitute for the Committee substitute, as amended, for the Bill, H. B. 59.

RECESS

At 12:31 P. M. on motion of Mr. Crawford, pending further consideration of motion by Mr. Turner, the Senate took a recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

ELEVENTH LEGISLATIVE DAY

THURSDAY, JULY 5, 1962

The Senate re-assembled at 2:00 o'clock P. M., Lieutenant Governor Boutwell presiding.

ROLL CALL

Present:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Laxson	Webb
Clark	Godfrey	Leonard	Wilson
Cooper	Golson	Moses	Word
Crawford	Graham	Porter	Wyatt
deGraffenried	Green	Robison	

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INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Crawford:

S. 79. Relating to Perry County; providing for the election of members of the court of county commissioners, board of revenue, or other like governing body of Perry County by districts.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF PERRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Perry County; providing for the election of members of the court of county commissioners, board of revenue, or other like governing body of Perry County by districts.

Be It Enacted by the Legislature of Alabama:

Section 1. After the effective date of this Act, the several members of the court of county commissioners, board of revenue, or other like governing body of Perry County shall be nominated and elected by the qualified electors of the several commissioners districts of the county. A member shall be elected for each district, and he shall be a resident and qualified elector of the district for which he is elected. The members of the court of county commissioners, board of revenue, or other like governing body of the county shall be elected at the time, in the manner, and for the terms provided by law, except as otherwise herein provided.

Section 2. The provisions of this Act shall become effective only if approved by a majority of the electors of Perry County, voting in a referendum to be held on the date of the first county-wide primary, general, or special election held after the passage of this Act. The court of county commissioners of Perry County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election the question shall be stated substantially as follows: "Shall the provisions of Act No. _____ of the _____ Session of the Legislature, which provides for the election of members of the court of county commissioners, board of revenue or other like governing body of Perry County by districts, be adopted? Yes () No ()." If a majority of the votes

cast in the election are "Yes," the provisions of this Act shall become operative immediately. If the majority are "No," this Act shall have no effect. The probate judge of Perry County shall certify the result of the election to the Secretary of State within 30 days after the returns thereof are canvassed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. M. Wallace, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, June 21, June 28, and July 5, all in the year 1962.

J. M. WALLACE.

Sworn to and subscribed before me July 5, 1962.

ELIZABETH F. STEWART,
Title Perry Co. Notary Public.

By Mr. Golson:

S. 80. To fix the number of senators and representatives in the legislature, divide the state into senatorial districts, and apportion the senators and representatives among the several district and counties.

Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Rogers (Mobile), Engel, Murphy and Grouby:

H. J. R. 25. Whereas, death came Tuesday, June 26, 1962 to Judge Columbus Eugene Thomas; and

Whereas, Judge Thomas was a lifelong resident of Alabama, who was born February 11, 1869 at Gold Hill in Chambers County, educated in the schools of the state and resided in Prattville from early life; and

Whereas, Judge Thomas was a member of a distinguished Alabama family, being a brother of the late Justice William H. Thomas of the Supreme Court of Alabama and Honorable J. Render Thomas, present Clerk of the Supreme Court of Alabama, and the father of Judge Daniel H. Thomas, of the U. S. District Court; and

Whereas, Judge Thomas gave many years of able, efficient and faithful service to his city, county and state, serving as a member of the city

council and as judge of the city court of Prattville, as probate judge and as chairman of the board of equalization of Autauga County, as state superintendent of banks, as a member of the board of trustees of the Department of Archives and History and as a member of the board of Trustees of Tuskegee Institute; and,

Whereas, the people of Alabama have lost a distinguished citizen, a devoted public servant, and an outstanding Christian gentleman, now therefore

Be It Resolved by the Legislature of Alabama, Both Houses Thereof Concurring, That we express our profound grief in the passing of Judge Thomas and extend our most sincere sympathy to the members of his family.

Be It Further Resolved, That the Clerk of the House of Representatives, is directed to send copies of this resolution to the family of Judge Thomas.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Caffey, the Rules were suspended and the Resolution, H. J. R. 25 set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Vickers:

H. J. R. 28. Whereas the Tennessee-Tombigbee Waterway Development Compact between the State of Alabama and the State of Mississippi provides for the admission into such compact of any other state which is contiguous with any member state, subject to approval by the Legislature of each of the member states; and

Whereas the State of Tennessee has been admitted to this compact and hence the Commonwealth of Kentucky is now such a contiguous state and desires to be admitted into such compact; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA; That the admission of the Commonwealth of Kentucky into the Tennessee-Tombigbee Waterway Development Compact is hereby approved, provided the General Assembly of Kentucky approves the execution of the compact by the Governor of Kentucky and makes provision for its pro rata share of the cost of administering the compact, and that the Commonwealth of Kentucky shall become a party to the compact when proof has been submitted to the Tennessee-Tombigbee Waterway Development Authority that the General Assembly of Kentucky has taken the above mentioned action, the Governor of the Commonwealth of Kentucky has executed the compact and the admission of the Commonwealth of Kentucky is approved by the

Legislature of the State of Mississippi and by the General Assembly of the State of Tennessee.

Be It Further Resolved that the Secretary of State is hereby directed to transmit a duly certified copy of this resolution to the Governor of Mississippi, to the Governor of Tennessee and to the Governor of Kentucky.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Laxson, the Resolution, H. J. R. 28 set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 118. To apply only in counties in the state having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

H. 120. To provide further for the compensation of election officials in each county having a population of not less than 110,000 nor more than 160,000, according to the 1960 or any subsequent federal decennial census.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

RESOLUTIONS

Mr. deGraffenried offered the following Senate Joint Resolution, to-wit:

S. J. R. 7. Whereas, H. Pettus Randall of Tuscaloosa has been elected president of Key Club International, a high school boys' service club sponsored by Kiwanis International; and

Whereas, Mr. Randall exemplifies all that is high and honorable in the youth of Alabama and the honor he has won will redound to the benefit and credit of the State; now therefore BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do congratulate H. Pettus Randall most heartily on his recent election and wish him every success as president of Key Club International.

Be It Further Resolved, That an invitation is hereby extended to Mr. Randall to visit the capitol during the present session of the Legislature, and the privileges of the floor of both Houses are extended to him.

Be It Resolved Further, That a copy of this resolution be sent to Mr. Randall.

On motion of Mr. deGraffenried, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Graham and Samford offered the following Senate Joint Resolution, to-wit:

S. J. R. 8. WHEREAS, the citizens of Prattville and Autauga County are highly gratified and honored at the selection of Miss Melanie Walthall as the Alabama Dairy Princess and equal pride is shown by the people of Salem and Lee County in Miss Darlene Woodall, selected at alternate Princess,

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING That these young ladies be commended for their beauty, charm, and talent and extended greetings for the great industry that they represent.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Miss Walthall and Miss Woodall by the Secretary of the Senate.

On motion of Mr. Graham, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Dodd:

H. 138. To fix a minimum salary for school bus drivers employed by the county superintendent of education or county board of education in any county having a population of not less than 22,500 nor more than 24,550.

Also:

By Messrs. Thomas and Lee:

H. 161. To amend the title to and Section 1 of Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956 (as heretofore amended), entitled, "An act relative to municipalities in this state having a population of not less than 23,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof," so as to make said Act applicable to municipalities having a population of not less than 8,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

Also:

By Mr. Ray:

H. 167. To amend Act No. 121 of the Special Session of the Legislature of Alabama of 1961, entitled "An Act To amend further Act No. 539, S. 253, approved July 23, 1931, providing for a board of education for Winston County (Local Acts of Alabama 1931, p. 257) so as to provide further for the manner of election of such board; to prescribe their term of office; and to provide for selection of a chairman of the board," approved September 15, 1961.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at any special session held in 1962, and application made for its passage, substantially as follows, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 121 of the Special Session of the Legislature of Alabama of 1961, entitled "An Act To amend further Act No. 539, S. 253, approved July 23, 1931, providing for a board of education for Winston County (Local Acts of Alabama 1931, p. 257) so as to provide further for the manner of election of such board; to prescribe their term of office; and to provide for selection of a chairman of the board," approved September 15, 1961.

Be It Enacted by the Legislature of Alabama:

ARTICLE 1

Act No. 121 of the Special Session of the Legislature of Alabama of 1961, entitled "An Act To amend further Act No. 539, S. 253, approved July 23, 1931, providing for a board of education for Winston County (Local Acts of Alabama 1931, p. 257) so as to provide further for the manner of election of such board; to prescribe their term of office; and to provide for selection of a chairman of the board," approved September 15, 1961, is hereby amended to read as follows:

Section 1. Section 1 of Act No. 539, S. 253, approved July 23, 1931, an act providing for a board of education for Winston County (Local Acts of Alabama 1931, p. 257), is hereby amended to read as follows:

"Section 1. There is hereby created and established a board of education for Winston County to be composed of five members, who shall be elected as follows:

"(1) The member of the Board elected to succeed the incumbent Irvin Batchelor shall be elected at the general election held in 1962 and every four years thereafter, by the qualified electors of Precinct No. 2 and of Box 1 of Precinct No. 10, as heretofore established under authority of law, which shall be known as area No. 1;

"(2) The member of the Board elected to succeed the incumbent Curtis Frazier shall be elected at the general election held in 1962 and every four years thereafter, by the qualified electors of Precinct No. 3 and of Box 2 of Precinct No. 10, as heretofore established under authority of law, which shall be known as area No. 2;

"(3) The member of the Board elected to succeed the incumbent Willis M. Bailey shall be elected at the general election held in 1964, and every four years thereafter, by the qualified electors of Precincts Nos. 1, 4, and 11, as heretofore established under authority of law, which shall be known as area No. 3;

"(4) The member of the Board elected to succeed the incumbent Clell Isbell shall be elected at the general election held in 1964 and every four years thereafter, by the qualified electors of Precincts Nos. 6, 7, and 8, as heretofore established under authority of law, which shall be known as area No. 4;

"(5) The member of the Board elected to succeed the incumbent Bruce McLarty shall be elected at the general election held in 1962 and every four years thereafter, by the qualified electors of Precincts Nos. 5 and 9, as heretofore established under authority of law, which shall be known as area No. 5.

"The members shall take office on the first Monday after the second Tuesday in January after their election. The board of education shall select from among its members a president who shall serve as president for two years and who shall be entitled to vote as any other member of the board. The areas described in this section shall not be deemed or construed to be school districts.

"Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

ARTICLE 2

This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WINSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jay Thornton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the daily Northwest Alabamian, a newspaper of general circulation published in Haleyville, Winston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, June 15, June 22, and June 26, all in the year 1962.

JAY THORNTON.

Sworn to and subscribed before me June 26, 1962.

R. J. THORNTON,
Title Notary Public.

Also:

By Mr. Ray:

H. 168. To further provide for the election of a County Superintendent of Education of Winston County, Alabama, by the qualified voters thereof; to prescribe and fix the duties, qualifications, term of office, and compensation of such Superintendent, and to provide for the filling of vacancies in said office.

[With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF WINSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama at any special session called for 1962 and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To further provide for the election of a County Superintendent of Education of Winston County, Alabama, by the qualified voters thereof; to prescribe and fix the duties, qualifications, term of office, and compensation of such Superintendent, and to provide for the filling of vacancies in said office.

Be It Enacted by the Legislature of Alabama:

Section 1. At the general election for the year 1964, and every four years thereafter, there shall be elected a County Superintendent of Education for Winston County, Alabama, by the qualified voters of said county. He shall hold office for a term of four years from the first Monday in July next succeeding his election, and until a successor is elected and qualified.

Section 2. Candidates for the office of such Superintendent of Education may be nominated by political parties in the same manner as candidates for other county offices are nominated under the laws of Alabama. Each candidate for election to such office shall be a qualified voter of Winston County, Alabama.

Section 3. No person shall be eligible for election or appointment to the office of County Superintendent of Education of Winston County, Alabama, who does not submit proof to the State Superintendent of Education.

(1) that he possesses all of the qualifications required under the general laws of Alabama for county superintendents of education; and,

(2) that he holds a Class A, Rank I (or higher) superintendent-principal professional certificate in administration and supervision based upon requirements established by the State Board of Education for such certificate.

Section 4. In the event of a vacancy in the office of County Superintendent of Education of Winston County, such vacancy shall be filled as provided by general law; provided, however, that the person chosen to fill such vacancy shall meet the requirements prescribed by section 3 of this Act.

Section 5. The County Superintendent of Education of Winston County shall devote his entire time to the public school business of Winston County. He shall perform and discharge all of the duties of county superintendents of education under the general laws of Alabama.

Section 6. The County Superintendent of Education of Winston County shall be entitled to receive a salary of seven thousand five hundred dollars (\$7,500) per annum. The salary of the superintendent shall be paid in the same manner as is provided by the general laws of Alabama for the payment of salaries of county superintendents of education. In addition to the salary authorized by this Act, the county board of education of Winston County is empowered to fix, approve, and authorize the payment of traveling expenses, not in excess of one thousand dollars (\$1,000) annually, actually incurred by the county superintendent of education in the performance of his official duties both within and without the county.

Section 7. Nothing in this Act shall be construed to abridge the term of office of the incumbent County Superintendent of Education of Winston County or to alter his compensation or allowances.

Section 8. If any section, sentence, clause, or provision of this act shall be declared unconstitutional or invalid, it shall not affect the validity of any remaining section, sentence, clause, or provision hereof. If any specific application of any section, sentence, clause, or provision of this act shall be declared unconstitutional or invalid, it shall not affect the validity of such section, sentence, clause, or provision as to any other specific application not in and of itself unconstitutional or invalid.

Section 9. All laws and parts of laws in conflict with the provisions of this Act are, to the extent of such conflict, hereby repealed.

Section 10. This Act shall become effective upon its passage and approval or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WINSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jay Thornton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Northwest Alabamian, a newspaper of general circulation published in Haleyville, Winston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, June 15, June 22, and June 26, all in the year 1962.

JAY THORNTON.

Sworn to and subscribed before me June 26, 1962.

R. J. THORNTON,
Title Notary Public.

Also:

By Mr. Bishop:

H. 169. To provide for additional meetings of boards of registrars in

counties having populations of not less than 46,475 nor more than 48,000 inhabitants.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 138, 161, 167, 168 and 169—to the Committee on Local Legislation

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, Senate Bill 31, without my signature and approval.

This bill is identical to House Bill 92, which has passed both Houses of the Legislature and has been approved by me.

Respectfully,
JOHN PATTERSON,
Governor

GOVERNOR'S MESSAGE

On motion of Mr. Caffey, the Governor's veto to the Bill, S. B. 31, set out in the foregoing Message from His Excellency the Governor, was sustained by the Senate.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, Senate Bill 36, without my signature and approval.

This bill is identical to House Bill 110, which has passed both Houses of the Legislature and has been approved by me.

Respectfully,
JOHN PATTERSON,
Governor

GOVERNOR'S MESSAGE

On motion of Mr. Caffey, the Governor's veto to the Bill, S. B. 36, set out in the foregoing Message from His Excellency the Governor, was sustained by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 7. Relative to Congratulating H. Pettus Randall on his election as president of Key Club International.

Also:

S. J. R. 8. Relative to commending Miss Melanie Walthall and Miss Darlene Woodall, Alabama Dairy Princess and alternate.

OAKLEY MELTON, JR.,
Clerk.

UNFINISHED BUSINESS
BILLS ON THIRD READING

The Senate proceeded to consideration of the unfinished business for today which was the Bill:

H. 59. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

as amended.

The question was on the motion of Mr. Turner that the Senate reconsider the vote by which the substitute offered by Mr. Crawford for the Committee substitute, as amended, for the Bill, H. B. 59, was adopted, and which said substitute is set out at length in the Journal of the Senate for the Tenth Legislative Day.

On motion of Mr. Crawford, the motion of Mr. Turner was laid on the table.

Yeas 19; Nays 14.

Yeas:

Messrs.:	Dumas	Green	Porter
Caffey	Eddins	Jones	Robison
Clark	Gaither	Laxson	Samford
Cooper	Givhan	Leonard	Wilson
Crawford	Graham	Moses	Wyatt

Nays:

Messrs.:	deGraffenried	Hines	Turner
Andrews	Farmer	Kendall	Webb
Barnett	Godfrey	Rutledge	Word
Berryman	Haltom	Shelton	

—14

Mr. Webb offered the following amendment to the substitute offered by Mr. Crawford for the Committee substitute, as amended, for the Bill, to-wit:

AMENDMENT TO H. B. 59 AS AMENDED

In Section 2, second paragraph, strike out "sixteenth, the counties of Lowndes and Wilcox" and insert "sixteenth, the counties of Monroe and Wilcox"

Also, strike out "twenty-first, the counties of Baldwin, Escambia and Monroe" and insert "twenty-first, the counties of Baldwin and Escambia"

Also, strike out "thirtieth, the county of Dallas" and insert "thirtieth, the counties of Dallas and Lowndes"

In Section 3, strike out the second paragraph and insert in lieu thereof the following:

The county of Jefferson shall have and elect 12, the county of Mobile 6, and the county of Montgomery 4; the counties of Calhoun, Etowah, Madison and Tuscaloosa 3 each; the counties of Baldwin, Colbert, Cullman, Dallas, Houston, Lauderdale, Lee, Marshall, Morgan, Russell, Talladega and Walker 2 each; and the remaining counties 1 each.

Mr. Kendall moved that the amendment offered by Mr. Webb be laid on the table, and the motion to table was lost.

Yeas 15; Nays 17.

Yeas:

Messrs.:	deGraffenried	Green	Moses
Andrews	Dumas	Haltom	Porter
Berryman	Givhan	Hines	Rutledge
Caffey	Graham	Kendall	Turner

—15

Nays:

Messrs.:	Eddins	Leonard	Webb
Barnett	Farmer	Robison	Wilson
Clark	Gaither	Samford	Word
Cooper	Jones	Shelton	Wyatt
Crawford	Laxson		

—17

The question recurred on the amendment offered by Mr. Webb to the substitute offered by Mr. Crawford for the Committee substitute, as amended, for the Bill, H. B. 59 and said amendment was adopted.

Yeas 20; Nays 12.

Yeas:

Messrs.:	Eddins	Leonard	Shelton
Barnett	Farmer	Porter	Webb
Berryman	Gaither	Robison	Wilson
Clark	Jones	Rutledge	Word
Cooper	Laxson	Samford	Wyatt
Crawford			

—20

Nays:

Messrs.:	Dumas	Green	Kendall
Andrews	Givhan	Haltom	Moses
Caffey	Graham	Hines	Turner
deGraffenried			

—12

Mr. Turner offered the following substitute for the Committee substitute, as amended, for the Bill, H. B. 59, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Be It Enacted by the Legislature of Alabama:

Section 1. The State Senate shall be composed of 17 senators representing 17 senatorial districts. Each district shall be entitled to elect one senator, and no more.

Section 2. The State is hereby divided, as follows, into 17 senatorial districts:

First district, the county of Jefferson; second district, the county of Mobile; third district, the county of Montgomery; fourth district, the counties of Henry, Houston, Geneva, Dale and Coffee; fifth district, the counties of Baldwin, Escambia, Covington, Conecuh and Monroe; sixth district, the counties of Washington, Clarke, Wilcox, Choctaw, Marengo, Sumter, Greene and Hale; seventh district, the counties of Dallas, Lowndes, Autauga, Perry, Bibb and Chilton; eighth district, the counties of Butler, Crenshaw, Pike, Barbour, Bullock and Russell; ninth district, the counties of Macon, Lee, Chambers and Tallapoosa; tenth district, the counties of Elmore, Coosa, Talladega, Clay, Randolph and Cleburne; eleventh district, the counties of Tuscaloosa, Pickens and Fayette; twelfth district, the counties of Shelby, St. Clair and Calhoun; thirteenth district, the counties of Blount, Etowah and Cullman; fourteenth district, the counties of Jackson, DeKalb, Marshall and Cherokee; fifteenth district, the counties of Madison and Limestone; sixteenth district, the counties of Lauderdale, Colbert, Franklin, Marion and Lamar; seventeenth district, the counties of Winston, Lawrence, Morgan and Walker.

Section 3. The counties of the State now in existence and hereafter created shall each have and elect one member to the House of Representatives of the Legislature and no more.

Section 4. The members of the Legislature provided for in this Act shall be elected at the general election to be held in November 1966, and every four years thereafter, until the Legislature is reapportioned as prescribed by law.

On motion of Mr. Gaither, said substitute offered by Mr. Turner was laid on the table.

Yeas 24; Nays 8.

Yeas:

Messrs.:	Eddins	Haltom	Robison	
Barnett	Farmer	Jones	Samford	
Berryman	Gaither	Laxson	Shelton	
Clark	Givhan	Leonard	Webb	
Cooper	Godfrey	Moses	Wilson	
Crawford	Green	Porter	Wyatt	
Dumas				—24

Nays:

Messrs.:	Graham	Kendall	Turner	
Andrews	Hines	Rutledge	Word	
Caffey				—8

MOTION TO ADJOURN LOST

At 4:07 P. M. Mr. Graham moved that the Senate adjourn until 10 o'clock tomorrow, July 6, 1962, which motion was lost.

Yeas 15; Nays 18.

Yeas:

Messrs.:	Cooper	Graham	Kendall	
Andrews	deGraffenried	Green	Moses	
Barnett	Givhan	Haltom	Porter	
Berryman	Godfrey	Hines	Turner	
				—15

Nays:

Messrs.:	Eddins	Laxson	Shelton	
Caffey	Farmer	Leonard	Wilson	
Clark	Gaither	Robison	Word	
Crawford	Golson	Rutledge	Wyatt	
Dumas	Jones	Samford		—18

FURTHER CONSIDERATION OF H. B. 59

The Senate proceeded to further consideration of the Bill, H. B. 59.

Mr. Haltom offered the following amendment to the Crawford substitute for the Committee substitute, as amended, for the Bill, H. B. 59, to-wit:

AMENDMENT TO H. B. 59 AS AMENDED

Amend H. B. 59 as amended by striking therefrom Section 2, as amended, and inserting in lieu thereof the following:

"Section 2. The State is hereby divided as follows into 35 senatorial district, which districts are as nearly equal to each other in the number of inhabitants as may be, having regard to the requirements of Article IX of the Constitution of Alabama that no county shall be divided between two districts and that no district shall be made up of two or more counties not contiguous to each other:

First District, the county of Jefferson; Second District, the county of Mobile; Third District, the county of Montgomery; Fourth District, the county of Madison; Fifth District, the county of Tuscaloosa; Sixth District, the county of Etowah; Seventh District, the county of Calhoun; Eighth District, the county of Talladega; Ninth District, the county of Lauderdale; Tenth District, the county of Morgan; Eleventh District, the counties of Baldwin and Escambia; Twelfth District, the counties of Monroe and Conecuh; Thirteenth District, the counties of Butler and Covington; Fourteenth District, the counties of Coffee and Crenshaw; Fifteenth District, the counties of Dale and Geneva; Sixteenth District, the counties of Henry and Houston; Seventeenth District, the counties of Barbour and Pike; Eighteenth District, the counties of Lee and Russell; Nineteenth District, the counties of Randolph and Chambers; Twentieth District, the counties of DeKalb and Cherokee; Twenty-first District, the counties of Jackson and Marshall; Twenty-second District, the counties of Limestone and Lawrence; Twenty-third District, the counties of Cullman and Winston; Twenty-fourth District, the counties of Walker and Fayette; Twenty-fifth District, the counties of Blount and St. Clair; Twenty-sixth District, the counties of Dallas and Lowndes; Twenty-seventh District, the counties of Bullock and Macon; Twenty-eighth District, the counties of Colbert, Franklin and Marion; Twenty-ninth District, the counties of Lamar, Pickens and Greene; Thirtieth District, the counties of Sumter, Marengo and Wilcox; Thirty-first District, the counties of Choctaw, Clarke and Washington; Thirty-second District, the counties of Shelby, Chilton and Autauga; Thirty-third district, the counties of Cleburne, Clay and Coosa; Thirty-fourth District, the counties of Tallapoosa and Elmore; Thirty-fifth District, the counties of Hale, Bibb, and Perry."

Mr. Webb moved that said amendment offered by Mr. Haltom be laid on the table. The motion to table resulted in a tie vote.

Yeas 16; Nays 16.

Yeas:

Messrs.:	Crawford	Green	Samford
Andrews	Eddins	Hines	Shelton
Barnett	Farmer	Jones	Webb
Clark	Gaither	Robison	Wilson
Cooper			

—16

Nays:

Messrs.:	Godfrey	Laxson	Rutledge
Berryman	Graham	Leonard	Turner
Caffey	Haltom	Moses	Word
deGraffenried	Kendall	Porter	Wyatt
Dumas			

—16

TIE VOTE

The President and Presiding Officer of the Senate voted "Nay"; therefore, the motion to table was lost.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Eleventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Eleventh Legislative Day was approved by the Senate.

ADJOURNMENT

At 4:53 P. M. on motion of Mr. Porter, pending further consideration of H. B. 59 and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until tomorrow, July 6, 1962, at 10 o'clock A. M.

Yeas 20; Nays 14.

Yeas:

Messrs.:	Eddins	Hines	Rutledge	
Andrews	Gaither	Jones	Shelton	
Barnett	Givhan	Kendall	Wilson	
Berryman	Green	Leonard	Word	
Cooper	Haltom	Porter	Wyatt	
deGraffenried				—20

Nays:

Messrs.:	Dumas	Graham	Samford	
Caffey	Farmer	Laxson	Turner	
Clark	Godfrey	Moses	Webb	
Crawford	Golson	Robison		—14

TWELFTH LEGISLATIVE DAY

FRIDAY, JULY 6, 1962

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by the Reverend Cornelius De Block, Second Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Berryman	Gaither	Kendall	Shelton
Caffey	Givhan	Laxson	Turner
Clark	Godfrey	Leonard	Webb
Cooper	Golson	Moses	Wilson
Crawford	Graham	Porter	Word
deGraffenried	Green	Robison	Wyatt
Dumas	Haltom		

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JOURNAL

On motion of Mr. Eddins, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Haltom, leaves of absence were granted Messrs. Roberts and Barnett for today.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 22. Relative to the Battleship USS ALABAMA.

Also:

H. J. R. 23. Relative to naming the new road in Cherokee County, Alabama "Godfrey Drive".

OAKLEY MELTON, JR.
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 25. Relative to the death of Judge Columbus Eugene Thomas.

OAKLEY MELTON, JR.
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions and finds same correctly enrolled, to-wit:

S. J. R. 7. Congratulating H. Pettus Randall on his election as president of Key Club International.

Also:

S. J. R. 8. Commending Miss Melanie Walthall and Miss Darlene Woodall on their selection as Alabama Dairy Princess and alternate.

HUGH MOSES,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees as follows:

By Mr. Leonard:

S. 81. To authorize and direct the Alabama Education Authority to allocate and distribute a part of the earnings or income from the investment of that part of the proceeds of bonds, issued by said Authority under Act No. 126, H. 15, Second Special Session 1959 (Acts 1959, p. 369), not currently needed for the purpose for which such bonds were issued, to the Alabama Institute for Deaf and Blind; and to provide for the use of such money for school building purposes upon the same terms and under like

conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959, Second Special Session, p. 369.

Committee on Finance and Taxation.

By Mr. Rutledge:

S. 82. Relating to the municipality of Haleyville, Winston County, Alabama: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Haleyville, Winston County, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to the municipality of Haleyville, Winston County, Alabama:

To alter, rearrange, and extend the boundaries and corporate limits of the Town of Haleyville, Winston County, Alabama.

Be It Enacted by the Legislature of Alabama,

Section 1. The boundaries of the municipality of Haleyville, in Winston County, Alabama are hereby altered, rearranged, and extended to include within the corporate limits within the Town of Haleyville, Alabama, the following described territory, situated in Winston County, Alabama, to-wit:

The Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and 5 acres in a square in the Northeast corner of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, all in Section 32, T9S, R10W, Winston County, Alabama, more fully described as follows, To Wit: Begin at a point on the present boundary of the City of Haleyville, Alabama, said point being the Northwest corner of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 32; thence North 87 degrees East along the North line of the South $\frac{1}{2}$ of said Section 32, and along the South boundary of the City of Haleyville, Alabama, and said line extended, 2640 feet to the Northeast corner of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 32; thence South 6 degrees East along the East line of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 32, 1330 feet to the Northwest corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 32; thence North 87 degrees East along the North line of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 32, 1320 feet to the Northeast Corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 32; thence South 6 degrees East along the East line of said Section 32, 1330 feet to the Southeast corner of said Section 32; thence South 87 degrees West along the South line of said Section 32, 1320 feet to the Southwest corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 32; thence North 6 degrees West along the West line of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 32, 864 feet; thence South 87 degrees West 466 feet; thence North 6 degrees West 466 feet to the South line of the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of said Section 32; thence South 87 degrees West along the South line of the Northwest $\frac{1}{4}$ of Southeast $\frac{1}{4}$, and the South line of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 32, 2174 feet to the Southwest corner of the Northeast $\frac{1}{4}$ of the Southwest

$\frac{1}{4}$ of said Section 32, said point being on the present East boundary of the City of Haleyville, Alabama; thence North 6 degrees West along the of the Northeast $\frac{1}{4}$ of the West line Southwest $\frac{1}{4}$ of said Section 32, and along the present East boundary of the City of Haleyville, 1330 feet to the point of beginning, containing 125.9 acres.

A parcel of land 400 feet in width lying 200 feet each side of the center line of Ward Bridge Road as said Road now exists, and running from the present South boundary of the City of Haleyville, Alabama, where said boundary crosses the Ward Bridge Road, in a Southeastwardly direction to the South line of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 5, T10S, R10W, and more fully described as follows, To Wit:

Begin at a point in the center of Ward Bridge Road where the South line of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 32, T9S, R10W, crosses said Road; thence South 9 degrees 15 mins. East along the center of said road 159.45 feet to the point of curvature of a curve to the left having a radius of 175 feet; thence in a Southeastwardly direction along said curve and the center of said road 231.2 feet to the point of tangent of said curve; thence South 88 degrees 49 mins. East along the center of said road 109.13 feet to the point of curvature of a curve to the right, having a radius of 250 feet; thence in a Southeastwardly direction along said curve and the center of said road 98.7 feet to the point of tangent of said curve; thence South 66 degrees 03 mins. East along the center of said road 263.62 feet to the point of curvature of a curve to the right having a radius of 400 feet; thence in a Southeastwardly direction along said curve and along the center of said road 185.85 feet to the point of tangent of said curve; thence South 39 degrees 17 mins. East along the center of said road 334.96 feet; thence South 47 degrees 27 mins. East along the center of said road 371.35 feet to the point of curvature of a curve to the left having a radius of 600 feet; thence in a Southeastwardly direction along said curve and said center of said road 180.43 feet to the point of tangent of said curve; thence South 64 degrees 43 mins. East along the center of said road 673.9 feet to the point of curvature of a curve to the right having a radius of 500 feet; thence in a Southeastwardly direction along said curve and the center of said road 328.74 feet to the point of tangent of said curve; thence South 26 degrees 57 mins. East along the center of said road 466.31 feet; thence South 28 degrees 53 mins. East along the center of said road 278.2 feet; thence South 34 degrees 08 mins. East along the center of said road 210.45 feet to the South line of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 5, T10S, R10W. Said tract lying in the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 32, T9S, R10W, and in the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 5, TOS, R10W, and in the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 5, T10S, R10W, and containing 35.75 acres.

Section 2. This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT.

STATE OF ALABAMA,
WINSTON COUNTY.

Personally appeared before me the undersigned authority in and for said County and State, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Daily Northwest Alabamian a newspaper of general circulation published daily

in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for Four (4) consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 8th day of June 1962, and the last copy of said publication appearing in the said paper on the 26th day of June 1962.

JAY THORNTON.

Sworn and subscribed to before me this 3rd day of July 1962.

R. J. THORNTON,
Notary Public.

REPORTS OF COMMITTEES

Mr. deGraffenried, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Moses:

S. 77. To provide for advance payment of dues by State-chartered member Credit Unions to the State Organization, Alabama Credit Union League, and the amortization over a period up to and including fifteen years of the credit extended to the member credit unions in the form of advance dues certificates issued by the Alabama Credit Union League.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Clark:

S. 75. To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties.

By Mr. Crawford (With Notice and Proof):

S. 79. Relating to Perry County; providing for the election of members of the court of county commissioners, board of revenue, or other like governing body of Perry County by districts.

By Mr. Dumas (With Notice and Proof):

S. 78. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

By Mr. Ferguson:

H. 133. Providing that in any county having a population of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census, it shall be unlawful for any person to enter, or attempt to enter, any church of which he is not a member while religious

services are in progress therein after having been requested not to enter or attempt to enter said church by any member, usher, minister or preacher of said church, or to fail to leave or vacate said church of which he is not a member after such service has begun therein when requested to do so by any member, usher or preacher or minister of said church, and to provide and prescribe punishment for violation of this Act.

By Mr. Dodd:

H. 138. To fix a minimum salary for school bus drivers employed by the county superintendent of education or county board of education in any county having a population of not less than 22,500 or more than 24,550.

By Mr. Callahan:

H. 160. To amend Act No. 283, H. 561, approved August 23, 1955, which authorizes and provides for the establishment of a fund designated as the "Solicitor's Fund" for the Solicitor of the Sixth Judicial Circuit, which is drawn upon by the Circuit Solicitor of the Sixth Judicial Circuit, and provides that the Solicitor's fees taxed in all criminal proceedings in the Circuit Court of Tuscaloosa County be paid into such Fund for such purpose (1955 Acts, Volume 1, page 649).

By Messrs. Thomas and Lee:

H. 161. To amend the title to and Section 1 of Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956 (as heretofore amended), entitled, "An act relative to municipalities in this state having a population of not less than 23,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof," so as to make said Act applicable to municipalities having a population of not less than 8,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

By Mr. Ray (With Notice and Proof):

H. 167. To amend Act No. 121 of the Special Session of the Legislature of Alabama of 1961, entitled "An Act To amend further Act No. 539,

S. 253, approved July 23, 1931, providing for a board of education for Winston County (Local Acts of Alabama 1931, p. 257) so as to provide further for the manner of election of such board; to prescribe their term of office; and to provide for selection of a chairman of the board," approved September 15, 1961.

By Mr. Ray (With Notice and Proof):

H. 168. To further provide for the election of a County Superintendent of Education of Winston County, Alabama, by the qualified voters thereof; to prescribe and fix the duties, qualifications, term of office, and compensation of such Superintendent, and to provide for the filling of vacancies in said office.

By Mr. Bishop:

H. 169. To provide for additional meetings of boards of registrars in counties having populations of not less than 46,475 nor more than 48,000 inhabitants.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Ferguson (With Amendment):

H. 132. Providing that in any county having a population of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census, it shall be unlawful for any person to go upon or remain upon the lands, buildings or premises of another or any part, portion, or area thereof after having been forbidden to do so either orally or in writing by the owner, lessee, custodian, or other person in possession thereof, his agent or representative or after having been forbidden to do so by a written legible sign or signs posted on such lands, buildings or premises at a place or places where such sign or signs are visible, and to fix the punishments for a violation of this Act.

RESOLUTION

Messrs. Cooper, Kendall, Porter, Eddins, Caffey and Webb offered the following Senate Joint Resolution, to-wit:

S. J. R. 9. WHEREAS, it has been publicly announced that the cabinet post of Secretary of the United States Department of Health, Education, and Welfare will be soon vacated by reason of the resignation of the Honorable Abraham Ribicoff, which event will require a presidential appointment of his successor, and

WHEREAS, the extensive and multifarious functions of the United States Department of Health, Education, and Welfare touch the lives of young and old in all walks and stations in life, and has a profound influence upon the national welfare, it follows that the selection of an eminently qualified administrative head of this department becomes a matter of vital concern to all citizens, and

WHEREAS, the Honorable Frank W. Boykin has for twenty-seven years served with distinction his native state of Alabama as United States

Representative from the First Congressional District, representing, in a manner to reflect credit upon both himself and his state, a constituency of highly diverse interests which encompass the industrial and seaport complexes of Mobile County, farm and labor interests of agricultural counties, and composed of all races, creeds, and colors, and

WHEREAS, the Honorable Frank W. Boykin has through his long period of public service demonstrated a sensitivity and responsiveness to the needs of his fellow man in his public writings, speeches, and effective support of progressive legislation so necessary to the fulfillment of the humanitarian ideals and objectives of the United States Department of Health, Education, and Welfare, and

WHEREAS, the wit, wisdom, and unfailing good humor of the Honorable Frank W. Boykin has won for him friends by the legion both in his native state and in the Nation's capital, and

WHEREAS, the capacity and dedication of the Honorable Frank W. Boykin to the concept of service, coupled with his vast experience in the halls of Congress and in the councils of state and federal governments, has earned for him a nationwide reputation of being one of the Nation's great servants of the people; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That we enthusiastically and earnestly commend to the consideration of the President of the United States the appointment of the Honorable Frank W. Boykin to the office of Secretary, United States Department of Health, Education, and Welfare.

BE IT FURTHER RESOLVED That the contents of this resolution be transmitted by wire by the Secretary of the Senate to the President of the United States pending transmission of a copy by mail; and that copies of the resolution be sent to the members of the U. S. House of Representatives from Alabama and to the United States Senators from Alabama.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was unanimously adopted by the Senate.

UNFINISHED BUSINESS BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, the first of which was the Bill:

H. 59. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

As amended.

The question was on the amendment offered by Mr. Haltom to the Crawford substitute for the Committee substitute, as amended, for the Bill, H. B. 59, which said amendment is set out at length in the Journal of the Senate for the Eleventh Legislative Day.

And said amendment was lost.

Yeas 12; Nays 19.

Yeas:

Messrs.:	Dumas	Laxson	Turner	
Berryman	Haltom	Leonard	Word	
Caffey	Kendall	Shelton	Wyatt	
deGraffenried				—12

Nays:

Messrs.:	Eddins	Graham	Robison	
Andrews	Farmer	Green	Rutledge	
Clark	Givhan	Hines	Samford	
Cooper	Godfrey	Jones	Webb	
Crawford	Golson	Moses	Wilson	—19

Mr. Graham then offered the following amendment to the Crawford substitute for the Committee substitute, as amended, for the Bill, H. B. 59, to-wit:

Amend the substitute to House Bill 59 as amended by striking therefrom Section 2 and inserting in lieu thereof the following:

"Section 2. The Senate of the Legislature of Alabama shall consist of 35 members and the state is divided into 35 senatorial districts as follows:

First, Lauderdale; second, Madison; third, Jackson and DeKalb; fourth, Colbert, Franklin and Marion; fifth, Lawrence and Limestone; sixth, Blount and Marshall; seventh, Etowah; eighth, Calhoun; ninth, Clay, Coosa and Elmore; tenth, Winston and Cullman; eleventh, Morgan; twelfth, Lamar, Fayette and Walker; thirteenth, Jefferson; fourteenth, Shelby and St. Clair; fifteenth, Tuscaloosa; sixteenth, Bibb, Perry and Chilton; seventeenth, Autauga, Butler and Lowndes; eighteenth, Chambers and Tallapoosa; nineteenth, Cherokee, Cleburne and Randolph; twentieth, Marengo and Sumter; twenty-first, Pickens, Greene and Hale; twenty-second, Dallas; twenty-third, Montgomery; twenty-fourth, Macon and Bullock; twenty-fifth, Lee and Russell; twenty-sixth, Choctaw, Clarke and Washington; twenty-seventh, Conecuh and Covington; twenty-eighth, Monroe and Wilcox; twenty-ninth, Crenshaw and Coffee; thirtieth, Barbour and Pike; thirty-first, Dale and Geneva; thirty-second, Henry and Houston; thirty-third, Mobile; thirty-fourth, Baldwin and Escambia; thirty-fifth, Talladega."

On motion of Mr. Crawford, said amendment was laid on the table.

Yeas 17; Nays 13.

Yeas:

Messrs.:	Farmer	Hines	Samford	
Andrews	Gaither	Jones	Webb	
Clark	Godfrey	Moses	Word	
Crawford	Golson	Robison	Wyatt	
Eddins	Green			—17

Nays:

Messrs.:	Dumas	Kendall	Porter
Berryman	Givhan	Laxson	Shelton
Caffey	Graham	Leonard	Turner
deGraffenried	Haltom		

—13

Mr. Hines then offered the following amendment to the Crawford substitute for the Committee substitute, as amended, for the Bill H. B. 59, to-wit:

Amendment to H. 59 as amended

In Section 3, strike out the second paragraph and insert in lieu thereof the following:

The county of Jefferson shall have and elect 10 representatives, the county of Mobile 5, and the county of Montgomery 4.

The counties of Madison and Tuscaloosa shall each have and elect 3 representatives.

The counties of Baldwin, Calhoun, Chambers, Colbert, Covington, Cullman, Dallas, DeKalb, Etowah, Houston, Jackson, Lauderdale, Lee, Limestone, Marshall, Morgan, Russell, Talladega, and Walker shall each have and elect 2 representatives.

The counties of Autauga, Barbour, Bibb, Blount, Bullock, Butler, Cherokee, Chilton, Choctaw, Clarke, Clay, Cleburne, Coffee, Conecuh, Coosa, Crenshaw, Dale, Elmore, Escambia, Fayette, Franklin, Geneva, Greene, Hale, Henry, Lamar, Lawrence, Lowndes, Macon, Marengo, Marion, Monroe, Perry, Pickens, Pike, Randolph, St. Clair, Shelby, Sumter, Tallapoosa, Washington, Wilcox, and Winston shall each have and elect 1 representative.

On motion of Mr. Dumas, said amendment was laid on the table.

Yeas 19; Nays 9.

Yeas:

Messrs.:	Crawford	Golson	Robison
Andrews	deGraffenried	Graham	Shelton
Caffey	Dumas	Green	Turner
Clark	Eddins	Jones	Webb
Cooper	Farmer	Laxson	Wilson

—19

Nays:

Messrs.:	Haltom	Porter	Word
Berryman	Hines	Samford	Wyatt
Godfrey	Leonard		

—9

Mr. Caffey then offered the following amendment to the Crawford substitute for the Committee substitute, as amended, for the Bill, H. B. 59, to-wit:

Amendment to H. B. 59, as amended

Amend H. B. 59 as amended by striking therefrom Section 3 in its entirety and substituting therefor the following:

"Section 3. The House of Representatives of the Legislature shall consist of 106 members, apportioned among the several counties of the State as follows: The County of Jefferson shall have and elect 14 Representatives; the County of Mobile shall have and elect 7 Representatives; the County of Montgomery shall have and elect 4 Representatives; the Counties of Madison, Tuscaloosa, Etowah, and Calhoun shall each have and elect 3 Representatives; the Counties of Talladega, Lauderdale, Morgan, Dallas, Walker, Houston, Lee, Baldwin, and Marshall shall each have and elect 2 Representatives; and the remaining counties of the State shall each have and elect one Representative."

On motion of Mr. Cooper, said amendment was laid on the table.

Yeas 20; Nays 7.

Yeas:

Messrs.:	Farmer	Hines	Samford
Andrews	Gaither	Jones	Webb
Clark	Givhan	Kendall	Wilson
Cooper	Godfrey	Laxson	Word
Crawford	Green	Robison	Wyatt
Eddins			

—20

Nays:

Messrs.:	Caffey	Dumas	Leonard
Berryman	deGraffenried	Haltom	Porter

—7

Mr. Haltom then offered the following substitute for the Committee substitute, as amended, for the Bill, H. B. 59, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Be It Enacted by the Legislature of Alabama:

Section 1. The State Senate shall be composed of 35 senators representing 35 senatorial districts. Each district shall be entitled to one senator and no more.

Section 2. The State is hereby divided, as follows, into 35 senatorial districts, which districts are as nearly equal to each other in the number of inhabitants as may be, having regard to the requirements of Article IX

of the Constitution of Alabama that no county shall be divided between the two districts and no district shall be made up of two or more counties not contiguous to each other:

First District, the county of Lauderdale; Second District, the county of Madison; Third District, the county of Morgan; Fourth District, the county of Etowah; Fifth District, the county of Calhoun; Sixth District, the county of Walker; Seventh District, the county of Tuscaloosa; Eighth District, the county of Jefferson; Ninth District, the county of Talladega; Tenth District, the county of Dallas; Eleventh District, the county of Montgomery; Twelfth District, the county of Mobile; Thirteenth District, the counties of Colbert and Franklin; Fourteenth District, the counties of Lawrence and Limestone; Fifteenth District, the counties of Jackson and Marshall; Sixteenth District, the counties of Cherokee and DeKalb; Seventeenth District, the counties of Fayette, Lamar and Marion; Eighteenth District, the counties of Cullman and Winston; Nineteenth District, the counties of Blount and St. Clair; Twentieth District, the counties of Clay, Cleburne and Coosa; Twenty-first District, the counties of Greene, Pickens and Sumter; Twenty-second District, the counties of Autauga, Chilton and Shelby; twenty-third District, the counties of Elmore and Tallapoosa; Twenty-fourth District, the counties of Chambers and Randolph; Twenty-fifth District, the counties of Bibb, Hale and Perry; Twenty-sixth District, the counties of Clarke, Choctaw and Washington; Twenty-seventh District, the counties of Marengo, Monroe and Wilcox; Twenty-eighth District, the counties of Bullock and Macon; Twenty-ninth District, the counties of Barbour and Pike; Thirtieth District, the counties of Lee and Russell; Thirty-first District, the counties of Baldwin and Escambia; Thirty-second District, the counties of Butler, Conecuh and Covington; Thirty-third District, the counties of Coffee, Crenshaw and Lowndes; Thirty-fourth District, the counties of Dale and Geneva; Thirty-fifth District, the counties of Henry and Houston.

Section 3. The House of Representatives shall consist of 106 members apportioned among the several counties of the State as follows, due consideration having been given to the number of inhabitants in each county as ascertained by the 1960 Federal Census:

The county of Jefferson shall have and elect twelve representatives; the county of Mobile shall have and elect six representatives; the county of Montgomery shall have and elect four representatives; the counties of Madison, Tuscaloosa, Etowah and Calhoun shall each have and elect three representatives; the counties of Talladega, Lauderdale, Morgan, Dallas, Walker, Houston, Lee, Baldwin, Marshall, Colbert, Russell, and Cullman shall each have and elect two representatives; and the remaining counties of the state shall each have and elect one representative.

Section 4. This Act shall become effective upon its passage and approval by the Governor but the members of the Legislature provided for in this Act shall be elected at the general election to be held in November 1966, and every four years thereafter until the Legislature is reapportioned as prescribed by Law.

Section 5. In senatorial districts consisting of more than one county the senator shall not be elected for more than one term consecutively from any one county in the district, but shall reside in and be elected alternately and in turn from each of the counties within such district. The first senator to be elected in such districts shall reside in the county having the largest population, except where that county had the last preceding senator.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Rogers (Mobile), Murphy and Engel:

H. 165. Relating to counties having populations of not less than 200,000 nor more than 500,000; providing for the assessment of solicitors' fees as a part of the costs of appeals from judgments rendered in certain municipal courts.

Also:

By Messrs. Rogers (Mobile), Murphy and Engel:

H. 173. To provide that the laws governing the County wide Civil Service System of Mobile County, Alabama shall apply to the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, in the office of the Clerk of the Circuit Court of Mobile County, Alabama, and to provide for the person holding the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, to be placed on the employment roster of the Civil Service System of Mobile County and to be placed in the proper class and salary level.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

State of Alabama, Mobile County: Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

"To provide that the laws governing the Countywide Civil Service System of Mobile County, Alabama, shall apply to the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, in the office of the Clerk of the Circuit Court of Mobile County, Alabama, and to provide for the person holding the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, to be placed on the employment roster of the Civil Service System of Mobile County and to be placed in the proper class and salary level.

"Be it enacted by the Legislature of Alabama:

"Section 1. That the laws governing the Countywide Civil Service System of Mobile County shall apply to any person holding the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, in the office of the Clerk of the Circuit Court of Mobile County."

"Section 2. That the person holding the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, in the office of the Clerk of the Cir-

cuit Court of Mobile County, on the effective date of this Act shall be placed forthwith in the classified service of the Countywide Civil Service System of Mobile County without any examination by the Civil Service System."

"Section 3. In placing any person so affected by the provisions of this Act upon the employment roster of the classified service of the Countywide Civil Service System of Mobile County, such position shall be allocated to the appropriate class to reflect recognition of the fact that such position exceeds in authority and responsibility of any other position under the authority of the Clerk of the Circuit Court of Mobile County, and be paid a salary within the minimum and maximum of the range provided such classification."

"Section 4. That all laws or parts of laws general or local in conflict with this Act are hereby repealed."

"Section 5. This act shall become effective October 1st, next after it's passage and approval."

W. F. Egan being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register Jun. 7, 14, 21, 28, 1962.

W. F. EGAN.

Sworn to and subscribed before me This 28th day of June, 1962.

DAN E. MILLER, JR.,
Notary Public.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 165 and 173—to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 48. Relating to the Partlow State School for Mental Deficients; changing the name of such institution to Partlow State School and Hospital.

Also:

S. 60. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked

by artificially propagated upland birds in all counties having populations of not less than 18,000 nor more than 19,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

S. 62. To abolish the City Court of Demopolis, an inferior court established in lieu of justices of the peace for the Demopolis precinct, Marengo County, and to reestablish the office of justice of the peace in that precinct; providing for the election or appointment of two justices of the peace for the precinct, and prescribing their jurisdiction, powers, and duties.

OAKLEY MELTON, JR.,
Clerk.

RECESS

At 11:36 A.M. on motion of Mr. Kendall, pending further consideration of H. B. 59, the Senate took a recess until 1:00 o'clock P.M.

AFTERNOON SESSION

TWELFTH LEGISLATIVE DAY

FRIDAY, JULY 6, 1962

The Senate re-assembled at 1:00 o'clock P. M., Lieutenant Governor Boutwell presiding.

ROLL CALL

Present:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Berryman	Gaither	Kendall	Shelton
Caffey	Givhan	Laxson	Turner
Clark	Godfrey	Leonard	Webb
Cooper	Golson	Moses	Wilson
Crawford	Graham	Porter	Word
deGraffenried	Green	Robison	Wyatt
Dumas	Haltom		

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MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 9. Relative to appointment of Honorable Frank W. Boykin to the Office of Secretary, United States Department of Health, Education and Welfare.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following Message from His Excellency, the Governor, proposing an amendment to the bill, H. 96, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill 96, with a suggested Executive Amendment.

Respectfully submitted,
/s/ Joseph G. Robertson
/t/ JOSEPH G. ROBERTSON,
Executive Secretary

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the body in which it originated, House Bill 96, with the following suggested Executive Amendments:

Section 1(a) as it presently reads allows the county to impose the tax upon the State of Alabama, including its Alcoholic Beverage Control Board and all institutions of higher learning, whether such institutions be denominational, state, county or municipal institutions; said Section 1(a) should be amended so as to read as follows:

"(a) Upon every person, firm or corporation engaged, or continuing within Colbert County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks), an amount equal to one-half of one per cent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he

shall pay the tax as a retailer, on the gross sales of the business. Provided that where all the sales of a company are single sales of peanut products, milk products, coffee, and confections sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not to exceed ten cents (10c) per sale, and the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10c) per sale and shall file with the State Department of Revenue a sworn statement to that effect and shall keep and maintain records satisfactory to the State Department of Revenue, the gross receipts tax herein provided for shall not be levied."

This amendment is necessary so as to eliminate the county taxing the state and its institutions.

Sec. 1 (2) (b) of the bill relating to the rate of use tax on the purchase of machinery should be amended so as to read as follows:

"(b) An excise tax is hereby imposed on the storage, use or other consumption in Colbert County of any machine used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, purchased at retail on or after the effective date of this Act at the rate of three-eighths of one per cent of the sales price of any such machine; provided, that the term 'machines,' as herein used, shall include machinery which is used for mining, quarrying, compounding, processing, or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used."

This amendment is necessary to prevent discrimination relating to sales involving interstate purchases and makes the rate of tax the same as is provided in the case of sales tax authorized to be levied by the county. The bill as presently written provides a tax rate on machinery at three-fourths of one percent instead of three-eighths of one per cent as is the case involving the sales tax rate on the same items; the suggested amendment as set out above eliminates the discriminatory tax rate.

Section 1 (2) (c) of the bill relating to the rate of use tax on the purchase of automotive vehicles should be amended so as to read as follows:

"(c) An excise tax on the storage, use, or other consumption in Colbert County of any automotive vehicle, truck trailer, semi-trailer or house trailer purchased at retail on or after the effective date of this Act for storage, use or other consumption in the county at the rate of one-eighth of one per cent of the sales price of such automotive vehicle, truck trailer, semi-trailer, or house trailer.

"Where any used automotive vehicle or truck trailer, semi-trailer, or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade."

This amendment is necessary to prevent discrimination relating to sales involving interstate purchases and makes the rate of tax the same as is provided in the case of sales tax authorized to be levied by the county. The bill as presently written provides a tax rate on the purchase of automotive vehicles at one-fourth of one per cent instead of one-eighth of

one per cent as is the case involving the sales tax rate on the same items; the suggested amendment as set out above eliminates the discriminatory tax rate.

Section 4 of the bill contains several objections, which will hereinafter be specifically pointed out, and should be amended so as to read as follows:

"Section 4. The taxes imposed by this Act shall be collected by the State Department of Revenue at the same time and along with the collection by the department of taxes levied and collected for the State of Alabama under Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments thereto, and all reports now required to be made to the Commissioner of Revenue of the State of Alabama shall on request of the chairman of the county governing body of Colbert County, be available for inspection by the chairman of the county governing body of Colbert County, or his designated agent, at reasonable times during business hours. The State Department of Revenue shall prepare and distribute such reports, forms, and other information as may be necessary for the collection of the additional taxes herein imposed, and shall have all the authority and duties in connection with such additional taxes as are now given by law to the department for the collection of state sales and use taxes under Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments thereto. It shall be the duty of the Commissioner of Revenue to pay into the state treasury all collections of taxes made hereunder, and on or before the tenth day of the following month the Commissioner of Revenue shall certify to the State Comptroller the amount of special taxes levied and collected under the authority of this Act for the use and benefit of Colbert County during the calendar month immediately preceding the making of such certificate to the State Treasurer; whereupon it shall be the duty of the State Comptroller to issue his warrant on the state treasury, payable to the custodian of the county school funds of Colbert County for the amount so certified by the Commissioner of Revenue as having been collected for the use and benefit of Colbert County and paid into the state treasury. The Department of Revenue shall charge Colbert County for collecting the taxes levied by this Act the cost of making such collections which charge shall not exceed ten per cent of the amount collected. Such charge for collecting such taxes shall be deducted from the special sales and special use taxes collected before certifying the amount of special sales and special use taxes due Colbert County."

The purpose of amending Section 4 of the bill, as set out above are to:

1. Correct the reference made in the first sentence of Section 4 to the Department of Revenue when it is obvious that references should have been made to the chairman of the county governing body requesting the inspection of the records to which reference is made.

2. The amendment will allow the Commissioner of Revenue reasonable time to report collections to the comptroller; as now written, it is practically impossible to make the certification of collection on or before the first day of the month following the collection made.

3. The amendment would allow the Department of Revenue to collect from the county the actual amount of cost necessary to reimburse said Department for the cost of collection; the amendment allows a rate not to exceed ten per cent of the amount collected.

The adoption of the above suggested amendments would remove my objections to the bill.

Respectfully,
JOHN PATTERSON
JOHN PATTERSON
Governor of Alabama

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 96 by a vote of Yeas 73, Nays 0, which was a majority of the whole number elected to the House.

And said bill:

H. 96. Relating to Colbert County; levying additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments and additions thereto; providing for the enforcement and collection of the taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; prescribing the purposes for which such proceeds may be used; and superseding Act No. 485, H. 1049, approved August 30, 1949 (Acts 1949, p. 704), the county sales and use tax law.

As amended by the amendment proposed by His Excellency, the Governor, was again read a third time at length and passed by a vote of Yeas 75, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Moses, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 96, the title of which and said proposed amendment is set out in the foregoing Message from the House.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Kendall	Shelton
Caffey	Godfrey	Laxson	Turner
Clark	Golson	Leonard	Webb
Cooper	Graham	Moses	Wilson
Crawford	Green	Porter	Word
deGraffenried	Haltom	Robison	Wyatt
Dumas			

—24

Nays:

—0

which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 96, as amended by the executive amendment, was again read at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Kendall	Shelton
Caffey	Godfrey	Laxson	Turner
Clark	Golson	Leonard	Webb
Cooper	Graham	Moses	Wilson
Crawford	Green	Porter	Word
deGraffenried	Haltom	Robison	Wyatt
Dumas			

—24

Nays:

—0

which was a majority of the whole number elected to the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committee, as follows:

By Mr. Godfrey:

S. 83. To define a normal work week for certain state employees, and to prescribe the maximum number of hours to be worked each day.

Committee on Finance and Taxation.

By Mr. Givhan:

S. 84. To appropriate the sum of \$20,000 to the State Fair Authority to aid in the construction of a livestock exhibit building.

Committee on Finance and Taxation.

BILLS ON THIRD READING

The Bill:

H. 107. To further amend Section 4 (a) of act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court" (Act No. 345, S. 291, 1955 Acts Vol. II, p. 783).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Hines	Rutledge
Caffey	Godfrey	Laxson	Turner
Clark	Golson	Leonard	Webb
Cooper	Graham	Moses	Wilson
Crawford	Green	Porter	Word
deGraffenried	Haltom	Robison	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 141. Relating to Colbert County; fixing the compensation of the chairman of the board of revenue, court of county commissioners, or other like governing body of Colbert County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Berryman	Gaither	Kendall	Shelton
Caffey	Givhan	Laxson	Turner
Clark	Godfrey	Leonard	Webb
Cooper	Golson	Moses	Wilson
Crawford			

—24

Nays:

—0

The Bill:

H. 145. Relating to counties having populations of not less than 40,000 nor more than 45,000; to provide additional compensation for the chief deputy and all other deputy sheriffs of all such counties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Rutledge
Andrews	Farmer	Hines	Samford
Berryman	Gaither	Jones	Shelton
Cooper	Godfrey	Kendall	Wilson
Crawford	Graham	Porter	Word
deGraffenried	Green	Robison	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 146. Proposing an amendment to the Constitution of Alabama relative to the rate of taxation on property in the City of Russellville for public school purposes.

Was read a third time at length as required by the Constitution and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Berryman	Gaither	Kendall	Shelton
Caffey	Givhan	Laxson	Turner
Clark	Godfrey	Leonard	Webb
Cooper	Golson	Moses	Wilson
Crawford			

—24

Nays:

—0

The Bill:

H. 148. To authorize the Registers of all Circuit Courts, in Counties having a population of 500,000 inhabitants or more, according to the last or any subsequent Federal Census, to destroy all documents, papers and exhibits filed in divorce cases in such Courts after the expiration of 20 years from the filing date of the final decree in such cases, and making the Minute Books and Final Record Books the official Court Record of such destroyed documents; but no authority is given herein to destroy the dockets, docket sheets, Minute Books, Final Record Books or indices in such cases.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Kendall	Shelton
Caffey	Godfrey	Laxson	Turner
Clark	Golson	Leonard	Webb
Cooper	Graham	Moses	Wilson
Crawford	Green	Porter	Word
deGraffenried	Haltom	Robison	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 152. To alter or rearrange the boundary lines of the City of Troy, Pike County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Pike County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Berryman	Gaither	Kendall	Shelton
Caffey	Graham	Moses	Turner
Crawford	Green	Porter	Word
deGraffenried	Haltom	Robison	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 149. To amend further Act No. 658, H. 1030, Regular Session 1959, an act providing for a county privilege license or excise tax on cigarettes in Madison County (Acts 1959, vol. 2, p. 1592).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Hines	Rutledge
Andrews	Gaither	Jones	Samford
Berryman	Givhan	Kendall	Shelton
Caffey	Godfrey	Laxson	Turner
Clark	Golson	Leonard	Webb
Cooper	Graham	Moses	Wilson
Eddins			

—24

Nays:

—0

The Bill:

S. 72. To propose an amendment to the Constitution authorizing the issuance and sale of warrants payable from the proceeds of special school taxes in DeKalb County for the purpose of re-financing any deficit created by proration of school funds prior to June 1, 1962.

Was read a third time at length as required by the Constitution, and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Hines	Rutledge
Andrews	Gaither	Jones	Samford
Cooper	Godfrey	Kendall	Shelton
Crawford	Graham	Moses	Wilson
deGraffenried	Green	Porter	Word
Dumas	Haltom	Robison	Wyatt
Eddins			

—24

Nays:

—0

The Bill:

S. 73. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 70,000 nor more than 96,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Rutledge
Andrews	Gaither	Kendall	Samford
Berryman	Givhan	Laxson	Shelton
Caffey	Godfrey	Leonard	Turner
Clark	Golson	Moses	Webb
Cooper	Hines	Porter	Wilson
Eddins			

—24

Nays:

—0

The Bill:

S. 71. To amend the title to and Section 1 of Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956 (as heretofore amended), entitled, "An Act relative to municipalities in this state having a population of not less than 23,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable

solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof," so as to make said Act applicable to municipalities having a population of not less than 8,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Hines	Shelton
Caffey	Godfrey	Laxson	Turner
Clark	Golson	Leonard	Webb
Cooper	Graham	Moses	Wilson
Crawford	Green	Porter	Word
deGraffenried	Haltom	Robison	Wyatt
Dumas			

—24

Nays:

—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Cooper, further consideration of the Bill, H. B. 153, was indefinitely postponed by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolution, with the original Senate Bills and Senate Joint Resolution, respectively and finds same correctly enrolled, to-wit:

S. 48. Relating to the Partlow State School for Mental Deficients; changing the name of such institution to Partlow State School and Hospital.

Also:

S. 60. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 18,000 nor more than 19,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

S. 62. To abolish the City Court of Demopolis, an inferior court established in lieu of justices of the peace for the Demopolis precinct, Marengo County, and to reestablish the office of justice of the peace in that precinct; providing for the election or appointment of two justices of the peace for the precinct, and prescribing their jurisdiction, powers, and duties.

Also:

S. J. R. 9. Requesting the consideration of the President of the United States as to the appointment of the Honorable Frank W. Boykin to the office of Secretary, United States Department of Health, Education, and Welfare.

HUGH MOSES,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

UNFINISHED BUSINESS BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business of the Morning Session which was the Bill:

H. 59. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

As amended:

The question was on the substitute offered by Mr. Haltom for the Committee substitute, as amended, for the Bill, H. B. 59, which said substitute is set out at length in the Journal of the Senate for the Morning Session.

On motion of Mr. Turner, said substitute offered by Mr. Haltom was laid on the table.

Yeas 20; Nays 11.

Yeas:

Messrs.:	Farmer	Jones	Samford
Andrews	Golson	Laxson	Turner
Clark	Graham	Porter	Webb
Cooper	Haltom	Robison	Wilson
Crawford	Hines	Rutledge	Word
Eddins			

—20

Nays:

Messrs.:	deGraffenried	Givhan	Leonard
Berryman	Dumas	Green	Moses
Caffey	Gaither	Kendall	Shelton

—11

MOTION TO RECONSIDER

Mr. Haltom moved that the Senate reconsider the vote by which his substitute was laid on the table.

And the motion to reconsider was lost.

Yeas 10; Nays 17.

Yeas:

Messrs.:	deGraffenried	Kendall	Word
Berryman	Dumas	Leonard	Wyatt
Caffey	Haltom	Shelton	

—10

Nays:

Messrs.:	Eddins	Laxson	Samford
Andrews	Farmer	Porter	Turner
Clark	Graham	Robison	Webb
Cooper	Hines	Rutledge	Wilson
Crawford	Jones		

—17

Mr. Graham then offered the following amendment to the Crawford substitute for the Committee substitute, as amended, for the Bill, H. B. 59, to-wit:

AMENDMENT TO HOUSE BILL 59 AS AMENDED

Amend House Bill 59 as amended by striking therefrom Section 2 and inserting in lieu thereof the following:

"Section 2. The Senate of the legislature of Alabama shall consist of 35 members, and the state is divided into 35 senatorial districts as follows: First, Lauderdale; Second, Madison; Third, DeKalb and Cherokee; Fourth, Colbert, Franklin and Marion; Fifth, Morgan; Sixth, Cullman, Winston and Blount; Seventh, Lawrence and Limestone; Eighth, Lamar,

Fayette and Walker; Ninth, Jefferson; Tenth, Etowah; Eleventh, Calhoun; Twelfth, St. Clair and Shelby; Thirteenth, Talladega; Fourteenth, Tuscaloosa; Fifteenth, Cleburne, Clay and Coosa; Sixteenth, Randolph and Chambers; Seventeenth, Pickens, Greene and Sumter; Eighteenth, Bibb, Chilton and Perry; Nineteenth, Elmore and Tallapoosa; Twentieth, Hale and Marengo; Twenty-first, Dallas; Twenty-second, Autauga, Lowndes and Butler; Twenty-third, Montgomery; Twenty-fourth, Macon and Bullock; Twenty-fifth, Lee and Russell; Twenty-sixth, Choctaw, Clarke and Washington; Twenty-seventh, Wilcox and Monroe; Twenty-eighth, Crenshaw and Coffee; Twenty-ninth, Pike and Barbour; Thirtieth, Baldwin and Escambia; Thirty-first, Conecuh and Covington; Thirty-second, Dale and Geneva; Thirty-third, Henry and Houston; Thirty-fourth, Jackson and Marshall; Thirty-fifth, Mobile."

Mr. Crawford moved that said amendment be laid on the table, and the motion to table prevailed.

Yeas 16; Nays 15.

Yeas:

Messrs.:	Eddins	Hines	Samford
Andrews	Farmer	Jones	Turner
Clark	Godfrey	Porter	Webb
Cooper	Golson	Robison	Wilson
Crawford			

—16

Nays:

Messrs.:	Dumas	Haltom	Rutledge
Berryman	Givhan	Kendall	Shelton
Caffey	Graham	Laxson	Word
deGraffenried	Green	Leonard	Wyatt

—15

MOTION TO RECONSIDER ADOPTED

On motion of Mr. Turner, the Senate reconsidered the vote by which it tabled the amendment offered by Mr. Graham to the Crawford substitute for the Committee substitute, as amended, for the Bill, H. B. 59.

Yeas 16; Nays 15.

Yeas:

Messrs.:	Givhan	Haltom	Rutledge
Berryman	Godfrey	Kendall	Shelton
Caffey	Graham	Leonard	Turner
deGraffenried	Green	Moses	Word
Dumas			

—16

Nays:

Messrs.:	Crawford	Golson	Robison
Andrews	Eddins	Hines	Samford
Clark	Farmer	Jones	Webb
Cooper	Gaither	Porter	Wilson

—15

The question recurred on the amendment offered by Mr. Graham, and said amendment was then lost.

Yeas 15; Nays 16.

Yeas:

Messrs.:	Dumas	Green	Leonard	
Berryman	Givhan	Haltom	Shelton	
Caffey	Godfrey	Kendall	Turner	
deGraffenried	Graham	Laxson	Word	—15

Nays:

Messrs.:	Eddins	Hines	Rutledge	
Andrews	Farmer	Jones	Samford	
Clark	Gaither	Porter	Webb	
Cooper	Golson	Robison	Wilson	
Crawford				—16

MOTION TO ADJOURN LOST

At 4:09 P. M., Mr. Haltom moved that the Senate now adjourn until Monday, July 9, 1962, at 10 o'clock A. M., which motion was lost.

Yeas 11; Nays 17.

Yeas:

Messrs.:	deGraffenried	Graham	Laxson	
Berryman	Dumas	Haltom	Moses	
Caffey	Givhan	Kendall	Shelton	—11

Nays:

Messrs.:	Eddins	Jones	Turner	
Andrews	Farmer	Porter	Webb	
Clark	Golson	Robison	Wilson	
Cooper	Green	Samford	Word	
Crawford	Hines			—17

FURTHER CONSIDERATION OF H. B. 59

The Senate proceeded to further consideration of the Bill, H. B. 59, as amended.

Mr. Crawford then offered the following amendment to the Crawford substitute for the Committee substitute, as amended, for the Bill, H. B. 59, to-wit:

Amendment to H. 59 as amended

In Section 2 of the bill, add a new paragraph as follows:

In districts consisting of more than one county, the senators shall not be elected for more than one term consecutively from any one county in the district, but shall reside in and be elected alternately and in turn from each of the counties within such district. The first senator to be elected in such districts shall reside in the county having the largest population, except where that county had the last preceding senator. It is provided, however, that any senator in office on the effective date of this enactment shall be eligible to succeed himself as a member of the Senate, any other provision of this paragraph to the contrary notwithstanding.

Also, add a new section to the bill as follows:

Section 5. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Which was adopted.

Yeas 24; Nays 3.

Yeas:

Messrs.:	Eddins	Jones	Samford
Andrews	Farmer	Kendall	Shelton
Berryman	Golson	Laxson	Turner
Clark	Graham	Moses	Webb
Cooper	Green	Porter	Wilson
Crawford	Hines	Robison	Word
deGraffenried			

—24

Nays:

Messrs.:	Caffey	Dumas	Haltom
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—3

Mr. Givhan then offered the following amendment to the Crawford substitute for the Committee substitute, as amended, for the Bill, H. B. 59, to-wit:

AMENDMENT TO H. 59 AS AMENDED

In Section 2, second paragraph, strike out "twenty-fifth, the counties of Coffee and Crenshaw" and insert "twenty-fifth, the counties of Coffee, Crenshaw and Lowndes."

Also, strike out "thirtieth, the counties of Dallas and Lowndes" and insert "thirtieth, the county of Dallas"

On motion of Mr. Turner, said amendment was laid on the table.

Yeas 18; Nays 8.

Yeas:

Messrs.:	Eddins	Laxson	Turner
Berryman	Farmer	Moses	Webb
Clark	Golson	Robison	Wilson
Cooper	Hines	Samford	Word
Dumas	Kendall	Shelton	

—18

Nays:

Messrs.:	Crawford	Graham	Haltom
Andrews	Givhan	Green	Jones
Caffey			

—8

And the substitute offered by the Standing Committee on Judiciary, as thus amended, for the Bill, H. B. 59, was then adopted.

Yeas 16; Nays 10.

Yeas:

Messrs.:	Crawford	Laxson	Turner
Andrews	Eddins	Moses	Webb
Berryman	Farmer	Robison	Wilson
Clark	Jones	Samford	Word
Cooper			

—16

Nays:

Messrs.:	Dumas	Green	Kendall
Caffey	Givhan	Haltom	Shelton
deGraffenried	Graham	Hines	

—10

Mr. Shelton offered the following amendment to the Bill, H. B. 59, as amended.

AMENDMENT TO H. 59 AS AMENDED

In Section 2, strike out the second paragraph and insert in lieu thereof the following:

First district, the county of Jefferson, second district, the county of Mobile; third district, the county of Montgomery; fourth district, the county of Madison; fifth district, the county of Tuscaloosa, sixth district, the county of Etowah; seventh district, the county of Calhoun; eighth district, the counties of Chambers and Lee; ninth district, the counties of Jackson and Marshall; tenth district, the counties of Baldwin and Escambia; eleventh district, the counties of Walker and Marion; twelfth district, the counties of Colbert and Franklin; thirteenth district, the counties of Henry and Houston; fourteenth district, the county of Talladega; fifteenth district, the counties of Tallapoosa and Macon; sixteenth district, the county of Lauderdale; seventeenth district, the counties of Limestone and Lawrence; eighteenth district, the counties of Sumter, Greene and Marengo; nineteenth district, the counties of Lowndes, Crenshaw and Coffee; twentieth district, the county of Morgan; twenty-first district, the counties of Cullman and Winston; twenty-second district, the counties of Butler and Covington; twenty-third district, the counties of Coosa, Elmore and Autauga; twenty-fourth district, the counties of Russell and Bullock; twenty-fifth district, the counties of Choctaw, Clarke and Washington; twenty-sixth district, the counties of Wilcox, Monroe and Conecuh; twenty-seventh district, the counties of Shelby and Chilton; twenty-eighth district, the counties of DeKalb and Cherokee; twenty-ninth district, the county of Dallas; thirtieth district, the counties of Dale and Geneva; thirty-first district, the counties of Lamar, Fayette and Pickens; thirty-second district,

the counties of Bibb, Hale and Perry; thirty-third district, the counties of Blount and St. Clair; thirty-fourth district, the counties of Barbour and Pike; thirty-fifth district, the counties of Cleburne, Clay and Randolph.

On motion of Mr. Turner, said amendment was laid on the table.

Yeas 17; Nays 12.

Yeas:

Messrs.:	Farmer	Jones	Samford
Clark	Gaither	Moses	Turner
Cooper	Golson	Porter	Webb
Crawford	Green	Robison	Wilson
Eddins	Hines		

—17

Nays:

Messrs.:	deGraffenried	Godfrey	Laxson
Andrews	Dumas	Haltom	Shelton
Berryman	Givhan	Kendall	Word
Caffey			

—12

Mr. Godfrey offered the following amendment to the Bill, H. B. 59, as amended.

AMENDMENT TO H. B. 59 AS AMENDED

In Section 5, strike out the second paragraph and insert in lieu thereof the following:

The county of Jefferson shall have and elect 11, the county of Mobile 6, and the county of Montgomery 4; the counties of Calhoun, Etowah, Madison and Tuscaloosa 3 each; the counties of Baldwin, Colbert, Cullman, Dallas, DeKalb, Houston, Lauderdale, Lee, Marshall, Morgan, Russell, Talladega and Walker 2 each; and the remaining counties 1 each.

MOTION TO ADJOURN LOST

At 5:04 P. M., Mr. Shelton moved that the Senate now adjourn until Monday, July 9, 1962, at 12 o'clock Noon.

Mr. Wyatt offered as a substitute motion that the Senate now adjourn until Tuesday, July 10, 1962, at 12 o'clock Noon which motion was lost.

Yeas 7; Nays 24.

Yeas:

Messrs.:	Gaither	Laxson	Rutledge
Caffey	Kendall	Leonard	Wyatt

—7

Nays:

Messrs.:	Dumas	Haltom	Samford
Andrews	Eddins	Hines	Shelton
Berryman	Farmer	Jones	Turner
Clark	Godfrey	Moses	Webb
Cooper	Golson	Porter	Wilson
Crawford	Green	Robison	Word
deGraffenried			

—24

The question recurred on the motion of Mr. Shelton to adjourn until Monday, July 9, at 12 o'clock Noon, and said motion was then lost.

Yeas 12; Nays 20.

Yeas:

Messrs.:	Dumas	Haltom	Leonard
Berryman	Gaither	Kendall	Shelton
Caffey	Givhan	Laxson	Word
deGraffenried			

—12

Nays:

Messrs.:	Farmer	Jones	Samford
Andrews	Godfrey	Moses	Turner
Clark	Golson	Porter	Webb
Cooper	Green	Robison	Wilson
Crawford	Hines	Rutledge	Wyatt
Eddins			

—20

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 107. To further amend Section 4 (a) of act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court" (Act No. 345, S. 291, 1955 Acts Vol. II, p. 783).

Also:

H. 141. Relating to Colbert County; fixing the compensation of the chairman of the board of revenue, court of county commissioners, or other like governing body of Colbert County.

Also:

H. 145. Relating to counties having populations of not less than 40,-

000 nor more than 45,000; to provide additional compensation for the chief deputy and all other deputy sheriffs of all such counties.

Also:

H. 148. To authorize the Registers of all Circuit Courts, in Counties having a population of 500,000 inhabitants or more, according to the last or any subsequent Federal Census, to destroy all documents, papers and exhibits filed in divorce cases in such Courts after the expiration of 20 years from the filing date of the final decree in such cases, and making the Minute Books and Final Record Books the official Court Record of such destroyed documents; but no authority is given herein to destroy the dockets, docket sheets, Minute Books, Final Record Books or indices in such cases.

Also:

H. 149. To amend further Act No. 658, H. 1030, Regular Session 1959, an act providing for a county privilege license or excise tax on cigarettes in Madison County (Acts 1959, vol. 2, p. 1592).

Also:

H. 152. To alter or rearrange the boundary lines of the City of Troy, Pike County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Pike County, Alabama.

Also:

H. 146. Proposing an amendment to the Constitution of Alabama relative to the rate of taxation on property in the City of Russellville for public school purposes.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

FURTHER CONSIDERATION OF H. B. 59

The Senate proceeded to further consideration of the Bill, H. B. 59, as amended.

The question was on the amendment offered by Mr. Godfrey.

MOTION TO ADJOURN LOST

At 5:38 P. M., Mr. Shelton moved that the Senate now adjourn until Monday, July 9, 1962, at 12 o'clock Noon, which motion was lost.

Yeas 9; Nays 19.

Yeas:

Messrs.:	deGraffenried	Kendall	Shelton	
Berryman	Gaither	Leonard	Word	
Caffey	Haltom			—9

Nays:

Messrs.:	Eddins	Hines	Robison	
Andrews	Farmer	Jones	Samford	
Clark	Godfrey	Laxson	Turner	
Cooper	Golson	Moses	Webb	
Crawford	Green	Porter	Wilson	—19

FURTHER CONSIDERATION OF H. B. 59

The Senate proceeded to further consideration of the Bill, H. B. 59, as amended.

The question was on the amendment offered by Mr. Godfrey, and on motion of Mr. Dumas, said amendment was laid on the table.

Mr. Haltom moved that the Senate reconsider the vote by which it tabled the amendment offered by Mr. Godfrey.

MOTION TO ADJOURN LOST

At 6:38 P. M., Mr. Shelton moved that the Senate now adjourn until Monday, July 9, 1962, at 12 o'clock Noon, which motion was lost.

Yeas 9; Nays 17.

Yeas:

Messrs.:	deGraffenried	Haltom	Shelton	
Berryman	Dumas	Leonard	Word	
Caffey	Givhan			—9

Nays:

Messrs.:	Eddins	Hines	Robison	
Andrews	Farmer	Jones	Samford	
Clark	Godfrey	Laxson	Webb	
Cooper	Golson	Porter	Wilson	
Crawford	Green			—17

FURTHER CONSIDERATION OF H. B. 59

The Senate proceeded to further consideration of the Bill, H. B. 59 as amended.

The question was on the motion of Mr. Haltom to reconsider the vote by which the amendment offered by Mr. Godfrey was laid on the table.

Mr. Turner moved that the Senate table the motion of Mr. Haltom to reconsider the vote by which the amendment offered by Mr. Godfrey was laid on the table, and the motion by Mr. Turner to table prevailed.

Yeas 22; Nays 6.

Yeas:

Messrs.:	Dumas	Jones	Samford	
Andrews	Eddins	Laxson	Turner	
Berryman	Farmer	Leonard	Webb	
Clark	Givhan	Porter	Wilson	
Crawford	Green	Robison	Wyatt	
deGraffenried	Hines	Rutledge		—22

Nays:

Messrs.:	Cooper	Golson	Word	
Caffey	Godfrey	Shelton		—6

Mr. Haltom then offered the following substitute for the Bill, H. B. 59, as amended, to-wit:

Amend H. B. 59 as amended as follows:

**A BILL
TO BE ENTITLED
AN ACT**

To reapportion the Legislature in accordance with Article 9, Sections 198-200, Constitution of Alabama 1901.

Be It Enacted by the Legislature of Alabama:

Section 1. The Senate of Alabama shall consist of 35 senators and the House of Representatives shall consist of 106 members.

Section 2. The state is hereby divided into 35 senatorial districts, as follows, and each district shall have and elect one senator and no more:

First, the county of Lauderdale; second, the county of Madison; third, the county of Morgan; fourth, the county of Etowah; fifth, the county of Calhoun; sixth, the county of Walker; seventh, the county of Tuscaloosa; eighth, the county of Jefferson; ninth, the county of Talladega; tenth, the county of Dallas; eleventh, the county of Montgomery; twelfth, the county of Mobile; thirteenth, the counties of Colbert and Franklin; fourteenth, the counties of Lawrence and Limestone; fifteenth, the counties of Jackson and Marshall; sixteenth, the counties of Cherokee and DeKalb; seventeenth, the counties of Fayette, Lamar, and Marion; eighteenth, the counties of Cullman and Winston; nineteenth, the counties of Blount and St. Clair; twentieth, the counties of Clay, Cleburne, and Coosa; twenty-first, the counties of Greene, Pickens, and Sumter; twenty-second, the counties of Bibb, Chilton, and Shelby; twenty-third, the counties of Elmore and Tallapoosa; twenty-fourth, the counties of Chambers and Randolph; twenty-fifth, the counties of Hale, Marengo, and Perry; twenty-sixth, the counties of Clarke, Choctaw, and Washington; twenty-seventh,

the counties of Conecuh, Monroe, and Wilcox; twenty-eighth, the counties of Autauga, Butler, and Lowndes; twenty-ninth, the counties of Barbour, Bullock, and Macon; thirtieth, the counties of Lee and Russell; thirty-first, the counties of Baldwin and Escambia; thirty-second, the counties of Crenshaw and Covington; thirty-third, the counties of Coffee and Pike; thirty-fourth, the counties of Dale and Geneva; thirty-fifth, the counties of Henry and Houston.

Section 3. The 106 members of the House of Representatives shall be apportioned among the several counties of the state as follows:

The county of Jefferson shall have and elect 10 representatives, the county of Mobile 5, and the county of Montgomery 4.

The counties of Madison and Tuscaloosa shall each have and elect 3 representatives.

The counties of Baldwin, Calhoun, Chambers, Colbert, Covington, Cullman, Dallas, DeKalb, Etowah, Houston, Jackson, Lauderdale, Lee, Limestone, Marshall, Morgan, Russell, Talladega, and Walker shall each have and elect 2 representatives.

The counties of Autauga, Barbour, Bibb, Blount, Bullock, Butler, Cherokee, Chilton, Choctaw, Clarke, Clay, Cleburne Coffee, Conecuh, Coosa, Crenshaw, Dale, Elmore, Escambia, Fayette, Franklin, Geneva, Greene, Hale, Henry, Lamar, Lawrence, Lowndes, Macon, Marengo, Marion, Monroe, Perry, Pickens, Pike, Randolph, St. Clair, Shelby, Sumter, Tallapoosa, Washington, Wilcox, and Winston shall each have and elect 1 representative.

Section 4. The provisions of Title 32, Sections 1-2, Code 1940 in conflict with this Act are hereby repealed.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall be effective for the election of the senators and representatives who will take office on the day after the general election in 1966.

MOTION TO ADJOURN LOST

At 7:38 P. M., Mr. Haltom moved that the Senate now adjourn until Monday, July 9, 1962, at 10 o'clock A. M., which motion was lost.

Yeas 9; Nays 17.

Yeas:

Messrs.:
Berryman
Dumas

Givhan
Haltom
Leonard

Rutledge
Shelton

Word
Wyatt

Nays:

Messrs.:	Eddins	Hines	Robison
Andrews	Farmer	Jones	Samford
Clark	Godfrey	Laxson	Turner
Cooper	Golson	Porter	Webb
Crawford	Green		

—17

FURTHER CONSIDERATION OF H. B. 59

The Senate proceeded to further consideration of the Bill, H. B. 59 as amended.

The question was on the substitute offered by Mr. Haltom for the Bill, H. B. 59 as amended.

On motion of Mr. Turner, the substitute offered by Mr. Haltom was laid on the table.

Yeas 17; Nays 7.

Yeas:

Messrs.:	Gaither	Moses	Turner
Clark	Golson	Porter	Webb
Crawford	Haltom	Robison	Wilson
Eddins	Jones	Samford	Wyatt
Farmer	Laxson		

—17

Nays:

Messrs.:	Dumas	Hines	Leonard
Berryman	Green	Kendall	Word

—7

MOTION TO RECONSIDER

Mr. Haltom then moved that the Senate reconsider the vote by which the substitute offered by Mr. Haltom was laid on the table.

MOTION TO ADJOURN LOST

At 9:02 P. M., Mr. Haltom moved that the Senate now adjourn until Monday, July 9, 1962, at 10 o'clock A. M., which motion was lost.

Yeas 8; Nays 15.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Berryman	Golson	Kendall	Shelton
Caffey			

—8

Nays:

Messrs.:	Eddins	Hines	Samford
Clark	Farmer	Jones	Turner
Cooper	Gaither	Porter	Webb
Crawford	Godfrey	Robison	Wilson

—15

FURTHER CONSIDERATION OF H. B. 59

The Senate proceeded to further consideration of the Bill, H. B. 59 as amended.

The question was on the motion of Mr. Haltom to reconsider the vote by which his amendment was laid on the table.

MOTION TO RECESS ADOPTED

At 9:32 P. M., on motion of Mr. Dumas, the Senate took a recess until 9.48 P. M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Boutwell, President and Presiding Officer of the Senate.

A quorum of the Senate was present.

FURTHER CONSIDERATION OF H. B. 59

The Senate then proceeded to further consideration of the bill, H. B. 59, as amended.

The question was on the motion of Mr. Haltom to reconsider the vote by which his amendment was laid on the table, and the motion to reconsider was lost.

Yeas 2; Nays 17.

Yeas:

Messrs.:	Caffey	Haltom
----------	--------	--------

—2

Nays:

Messrs.:	Gaither	Laxson	Samford
Clark	Godfrey	Porter	Turner
Crawford	Golson	Robison	Webb
Dumas	Hines	Rutledge	Wilson
Eddins	Jones		

—17

Mr. Haltom then offered the following amendment to the bill, H. B. 59, as amended, to-wit:

HALTOM AMENDMENT TO H. B. 59 AS AMENDED

Amend H. B. 59 as amended by striking therefrom Section 2 as amended, and inserting in lieu thereof the following:

"Section 2. The State is hereby divided as follows into 35 senatorial districts, which districts are as nearly equal to each other in the number of inhabitants as may be, having regard to the requirements of Article IX of the Constitution of Alabama that no county shall be divided between two districts and that no district shall be made up of two or more counties not contiguous to each other:

First District, the county of Lauderdale; Second District, the county of Morgan; Third District, the counties of Limestone and Lawrence; Fourth District, the counties of Cullman and Blount; Fifth District, the county of Madison; Sixth District, the counties of Jackson and Marshall; Seventh District, the county of Etowah; Eighth District, the county of Calhoun; Ninth District, the counties of Cherokee and DeKalb; Tenth District, the counties of Colbert and Franklin; Eleventh District, the county of Talladega; Twelfth District, the counties of Winston, Marion and Lamar; Thirteenth District, the counties of Walker and Fayette; Fourteenth District, the county of Jefferson; Fifteenth District, the county of Tuscaloosa; Sixteenth District, the counties of Pickens, Greene and Sumter; Seventeenth District, the counties of Lowndes, Autauga and Elmore; Eighteenth District, the counties of Shelby and St. Clair; Nineteenth District, the counties of Cleburne, Clay and Randolph; Twentieth District, the counties of Chambers and Tallapoosa; Twenty First District, the counties of Coosa, Chilton and Bibb; the Twenty Second District, the county of Montgomery; Twenty Third District, the counties of Lee and Macon; ~~Twenty Fourth District, the counties of Dallas and Perry; Twenty Fifth District, the counties of Marengo, Wilcox and Hale; Twenty Sixth District, the counties of Choctaw, Clarke and Washington; Twenty Seventh District, the county of Mobile; Twenty Eighth District, the counties of Baldwin and Escambia; Twenty Ninth District, the counties of Conecuh and Monroe; Thirtieth District, the counties of Butler and Covington; Thirty First District, the counties of Crenshaw and Coffee; Thirty Second District, the counties of Pike and Bullock; Thirty Third District, the counties of Russell and Barbour; Thirty Fourth District, the counties of Geneva and Dale; Thirty Fifth District, the counties of Houston and Henry."~~

Mr. Cooper moved that the amendment offered by Mr. Haltom be laid on the table, and the motion to table prevailed.

Yeas 15; Nays 9.

Yeas:

Messrs.:	Eddins	Jones	Samford
Clark	Gaither	Laxson	Turner
Cooper	Haltom	Porter	Webb
Crawford	Hines	Robison	Wilson

—15

Nays:

Messrs.:	deGraffenried	Golson	Shelton
Andrews	Dumas	Leonard	Word
Caffey	Givhan		

—9

Mr. Haltom moved that the Senate reconsider the vote by which it tabled his amendment to the bill, H. B. 59, as amended.

MOTION TO ADJOURN TO TIME CERTAIN

Mr. Turner moved that when the Senate adjourns today, it adjourn to meet again tomorrow, Saturday, July 7, 1962, at 12:01 A. M.

Mr. Gaither offered a substitute motion that when the Senate adjourns today, it adjourn to meet again tomorrow, July 7, 1962, at 10 o'clock A. M., which motion was lost.

Yeas 12; Nays 15.

Yeas:

Messrs.:	Dumas	Golson	Leonard
Andrews	Gaither	Haltom	Moses
Berryman	Givhan	Kendall	Word
deGraffenried			

—12

Nays:

Messrs.:	Eddins	Laxson	Samford
Clark	Farmer	Porter	Turner
Cooper	Hines	Robison	Webb
Crawford	Jones	Rutledge	Wilson

—15

The question recurred on the motion of Mr. Turner, and said motion was lost.

Yeas 14; Nays 15.

Yeas:

Messrs.:	Eddins	Jones	Turner
Clark	Farmer	Porter	Webb
Cooper	Golson	Robison	Wilson
Crawford	Hines	Samford	

—14

Nays:

Messrs.:	Dumas	Haltom	Moses
Andrews	Gaither	Kendall	Rutledge
Berryman	Givhan	Laxson	Word
deGraffenried	Green	Leonard	Wyatt

—15

FURTHER CONSIDERATION OF H. B. 59

The Senate proceeded to further consideration of the bill, H. B. 59, as amended, the question was on the motion of Mr. Haltom to reconsider the vote by which his amendment was tabled.

MOTION TO ADJOURN LOST

At 10:46 P. M., Mr. Haltom moved that the Senate now adjourn until Monday, July 9, 1962, at 10 o'clock A. M., which motion was lost.

Yeas 11; Nays 16.

Yeas:

Messrs.:	deGraffenried	Haltom	Leonard
Berryman	Dumas	Kendall	Word
Caffey	Gaither	Laxson	Wyatt

—11

Nays:

Messrs.:	Farmer	Moses	Samford
Clark	Green	Porter	Turner
Cooper	Hines	Robison	Webb
Crawford	Jones	Rutledge	Wilson
Eddins			

—16

MOTION TO ADJOURN TO TIME CERTAIN

Mr. Cooper moved that when the Senate adjourns today, it adjourn to meet again tomorrow, Saturday, July 7, 1962, at 12:01 A. M.

Mr. Haltom offered a substitute motion that when the Senate adjourns today, it adjourn to meet ~~again tomorrow~~, Saturday, July 7, 1962, at 10 o'clock A. M., which motion was lost.

Yeas 10; Nays 18.

Yeas:

Messrs:	Caffey	Haltom	Leonard
Andrews	Dumas	Kendall	Word
Berryman	Gaither	Laxson	

—10

Nays:

Messrs.:	Eddins	Moses	Turner
Clark	Farmer	Porter	Webb
Cooper	Green	Robison	Wilson
Crawford	Hines	Rutledge	Wyatt
deGraffenried	Jones	Samford	

—18

The question recurred on the motion of Mr. Cooper that when the Senate adjourns today, it adjourn to meet again tomorrow, Saturday, July 7, 1962, at 12:01 A. M., which motion was adopted.

Yeas 16; Nays 8.

Yeas:

Messrs.:	Eddins	Hines	Samford
Clark	Farmer	Jones	Turner
Cooper	Green	Porter	Webb
Crawford	Haltom	Robison	Wilson
deGraffenried			

—16

Nays:

Messrs.:	Dumas	Laxson	Word
Berryman	Kendall	Leonard	Wyatt
Caffey			

—8

FURTHER CONSIDERATION OF H. B. 59

The Senate proceeded to further consideration of the bill, H. B. 59, as amended.

The question was on the motion of Mr. Haltom, that the Senate reconsider the vote by which his amendment was laid on the table, and said motion to reconsider was lost.

Yeas 12; Nays 17.

Yeas.:

Messrs.:	deGraffenried	Golson	Kendall
Andrews	Dumas	Green	Shelton
Berryman	Givhan	Haltom	Word
Caffey			

—12

Nays:

Messrs.:	Farmer	Moses	Samford
Clark	Gaither	Porter	Turner
Cooper	Hines	Robison	Webb
Crawford	Jones	Rutledge	Wilson
Eddins	Laxson		

—17

Mr. Haltom then offered the following amendment to the bill, H. B. 59, as amended, to-wit:

Amendment to H. 59 as amended

In Section 2, strike out the second paragraph and insert in lieu thereof the following:

First district, the county of Jefferson; second district, the county of Mobile; third district, the county of Montgomery; fourth district, the county of Madison; fifth district, the county of Tuscaloosa; sixth district, the County of Etowah; seventh district, the county of Calhoun; eighth district, the counties of Chambers and Lee; ninth district, the counties of Jackson and Marshall; tenth district, the counties of Baldwin and Escambia; eleventh district, the counties of Marion and Walker; twelfth district, the counties of Colbert and Franklin; thirteenth district, the counties of Henry and Houston; fourteenth district, the county of Talladega; fifteenth district, the counties of Tallapoosa and Macon; sixteenth district, the county of Lauderdale; seventeenth district, the counties of Limestone and Lawrence; eighteenth district, the counties of Sumter, Greene and Marengo; nineteenth district, the counties of Lowndes, Crenshaw and Coffee; twentieth district, the county of Morgan; twenty-first district, the counties of Cullman and Winston; twenty-second district, the counties of Butler and

Covington; twenty-third district, the counties of Coosa, Elmore and Autauga; twenty-fourth district, the counties of Russell and Bullock; twenty-fifth district, the counties of Choctaw, Clarke and Washington; twenty-sixth district, the counties of Wilcox, Monroe and Conecuh; twenty-seventh district, the counties of Shelby and Chilton; twenty-eighth district, the counties of DeKalb and Cherokee; twenty-ninth district, the county of Dallas; thirtieth district, the counties of Dale and Geneva; thirty-first district, the counties of Lamar, Fayette and Pickens; thirty-second district, the counties of Bibb, Hale and Perry; thirty-third district, the counties of Blount and St. Clair; thirty-fourth district, the counties of Barbour and Pike; thirty-fifth district, the counties of Cleburne, Clay and Randolph.

ADJOURNMENT

The hour of 12 o'clock Midnight having arrived, the President and Presiding Officer of the Senate declared the Senate adjourned, pending further consideration of H. B. 59 and S. B. 58, to meet again in accordance with motion heretofore adopted by the Senate, tomorrow, Saturday, July 7, 1962, at 12:01 A. M.

THIRTEENTH LEGISLATIVE DAY

SATURDAY, JULY 7, 1962

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by Honorable Robert R. Berryman, Senator, Second Senatorial District.

ROLL CALL

Present:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Berryman	Gaither	Kendall	Shelton
Caffey	Givhan	Laxson	Turner
Clark	Godfrey	Leonard	Webb
Cooper	Golson	Moses	Wilson
Crawford	Graham	Porter	Word
deGraffenried	Green	Robison	Wyatt
Dumas	Haltom		

—33

JOURNAL

On motion of Mr. Turner, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

MOTION TO ADJOURN LOST

At 12:05 A.M., Mr. Dumas moved that the Senate now adjourn until Monday, July 9, 1962 at 12 O'clock noon, which motion was lost.

Yeas 12; Nays 17.

Yeas:

Messrs.:	deGraffenried	Haltom	Shelton
Andrews	Dumas	Laxson	Word
Berryman	Givhan	Leonard	Wyatt
Caffey			

—12

Nays:

Messrs.:	Farmer	Jones	Samford
Clark	Gaither	Porter	Turner
Cooper	Golson	Robison	Webb
Crawford	Green	Rutledge	Wilson
Eddins	Hines		

—17

REPORTS OF COMMITTEES

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Ferguson and Callahan (with amendment):

H. 134. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 100,000 nor more than 110,000 according to the last or any subsequent federal decennial census.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Self (with substitute):

H. 123. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 20,500 nor more than 21,850 according to the last or any subsequent federal decennial census.

RESOLUTION

Mr. Turner offered the following Senate Joint Resolution, to-wit:

S. J. R. 10. WHEREAS, Willie Vester Graham, otherwise known to his many friends in Luverne and Crenshaw County, Alabama, as "Big Nit"

has recently returned from a trip to Hyannis, Massachusetts, New York City, and other points north, and

WHEREAS, Big Nit has practiced the art of shining shoes capably and efficiently in a Luverne barber shop for twenty-one years where by his agreeable and consistently good humored disposition he has made a place for himself and secured the respect and affection of both races, and

WHEREAS, the many friends of Big Nit who considered him an ambassador of good will sponsored his trip north for the purpose of exhibiting the kindly relationships which exist in the South between the races in contrast to some which have been so widely publicized, therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That we commend Big Nit for his manner of conducting himself to the end that the purpose of the trip was accomplished.

BE IT FURTHER RESOLVED, That this body hopes that Big Nit will have many pleasant memories of his trip and will continue to be a link in the good will that exists between the races of the South.

On motion of Mr. Turner, the Rules were suspended and the resolution, S. J. R. 10, was adopted by the Senate.

UNFINISHED BUSINESS BILLS ON THIRD READING

The Senate proceeded to consideration of the unfinished business of yesterday, the first of which was the Bill:

H. 59. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

As amended.

The question was on the amendment offered by Mr. Haltom to the Bill, H. B. 59 as amended, which said amendment is set out at length in the Journal of the Senate for the Twelfth Legislative Day.

On motion of Mr. Turner, said amendment offered by Mr. Haltom was laid on the table.

Yeas 17; Nays 11.

Yeas:

Messrs.:	Farmer	Hines	Samford
Clark	Gaither	Jones	Turner
Cooper	Godfrey	Porter	Webb
Crawford	Golson	Robison	Wilson
Eddins	Green		

Nays:

Messrs.:	Caffey	Haltom	Leonard
Andrews	deGraffenried	Kendall	Shelton
Berryman	Dumas	Laxson	Word

—11

Mr. Crawford moved that the Bill, H. B. 59 as amended, be ordered to its third reading, which was adopted.

Yeas 15; Nays 13.

Yeas:

Messrs.:	Eddins	Jones	Rutledge
Clark	Farmer	Leonard	Turner
Cooper	Gaither	Porter	Webb
Crawford	Godfrey	Robison	Wilson

—15

Nays:

Messrs.:	deGraffenried	Haltom	Laxson
Andrews	Dumas	Hines	Shelton
Berryman	Givhan	Kendall	Word
Caffey	Golson		

—13

And said Bill, H. B. 59 as thus amended, was then read a third time at length.

MOTION TO RE-COMMIT

Mr. Dumas moved that the Bill, H. B. 59 as amended, be re-referred to the Standing Committee on Judiciary. Mr. Turner moved that the motion to re-refer be laid on the table, the motion to table prevailed.

Yeas 18; Nays 13.

Yeas:

Messrs.:	Farmer	Jones	Samford
Clark	Gaither	Leonard	Turner
Cooper	Godfrey	Porter	Webb
Crawford	Golson	Robison	Wilson
Eddins	Green	Rutledge	

—18

Nays:

Messrs.:	deGraffenried	Hines	Moses
Andrews	Dumas	Kendall	Shelton
Berryman	Givhan	Laxson	Word
Caffey	Haltom		

—13

And said Bill, H. B. 59, as thus amended was then passed.

Yeas 21; Nays 10.

Yeas:

Messrs.:	Eddins	Jones	Samford
Berryman	Farmer	Leonard	Turner
Clark	Gaither	Moses	Webb
Cooper	Godfrey	Porter	Wilson
Crawford	Golson	Robison	
deGraffenried	Green	Rutledge	

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Nays:

Messrs.:	Dumas	Hines	Shelton
Andrews	Givhan	Kendall	Word
Caffey	Haltom	Laxson	

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MOTION TO RECONSIDER

Mr. Turner moved that the Senate reconsider the vote by which it passed the Bill, H. B. 59 as amended, and then moved that the motion to reconsider be laid on the table. The motion to table prevailed.

Yeas 18; Nays 10.

Yeas:

Messrs.:	Eddins	Leonard	Samford
Berryman	Farmer	Moses	Turner
Clark	Gaither	Porter	Webb
Cooper	Godfrey	Robison	Wilson
Crawford	Jones	Rutledge	

—18

Nays:

Messrs.:	deGraffenried	Hines	Shelton
Andrews	Dumas	Kendall	Word
Caffey	Haltom	Laxson	

—10

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journals of the Senate for the Twelfth and Thirteenth Legislative Days and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journals of the Senate for the Twelfth and Thirteenth Legislative Days were approved by the Senate.

ADJOURNMENT

At 1:56 A.M. on motion of Mr. Dumas, pending further consideration of S. B. 58, the Senate adjourned until Tuesday, July 10, 1962, at 12 o'clock Noon.

FOURTEENTH LEGISLATIVE DAY

TUESDAY, JULY 10, 1962

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by the Reverend C. H. Hildreth, Capitol Heights Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Laxson	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Word
Crawford	Graham	Robison	Wyatt
deGraffenried	Green		

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JOURNAL

On motion of Mr. Wilson, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Porter, leave of absence was granted Mr. Leonard for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Eddins:

S. 85. To apply only in counties having populations of not less than 27,000 nor more than 29,000; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken; prescribing penalties.

Committee on Local Legislation.

By Mr. Webb:

S. 86. Relating to Escambia County; authorizing the County to pay the cost of publishing in two newspapers of general circulation in the county the notice required to be published by the tax assessor that the assessed valuations of all property listed for taxation have been fixed and of the date the board of equalization will sit to consider protests, as provided by Title 51, Section 106 of the 1940 Code of Alabama as Recompiled in 1958; the notice required to be published by the tax assessor and tax collector of the date and time they will visit the various voting places in the county for the receiving of tax returns and collections of taxes as provided by Sections 38 and 189 of Title 51 of the 1940 Code of Alabama as Recompiled in 1958; and for the publishing of the schedule of assessments for automobiles in said county.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA ESCAMBIA COUNTY

Notice is hereby given that at the special session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Escambia County; authorizing the County to pay the cost of publishing in two newspapers of general circulation in the county the notice required to be published by the tax assessor that the assessed valuations of all property listed for taxation have been fixed and of the date the board of equalization will sit to consider protests, as provided by Title 51, Section 106 of the 1940 Code of Alabama, as Recompiled in 1958; the notice required to be published by the tax assessor and tax collector of the date and time they will visit the various voting places in the county for the receiving of tax returns and collections of taxes as provided by Sections 38 and 189 of Title 51 of the 1940 Code of Alabama as Recompiled in 1958; and for the publishing of the schedule of assessments for automobiles in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue, Court of County Commissioners, or other like governing body of Escambia County may pay from the General Fund of said county the cost of publishing in two newspapers of general circulation in Escambia County the following notices: (a) The notice required to be published by the tax assessor that the assessed valuations of all property listed for taxation have been fixed and of the date the board of equalization will sit to consider protests, as provided by Section 106, Title 51, of the 1940 Code of Alabama as Recompiled in 1958.

(b) The notice required to be published by the tax assessor and the tax collector of the date and time they will visit the various voting places in the county for the receiving of tax returns and the collection of taxes as provided by Sections 38 and 189 of Title 51 of the 1940 Code of Alabama as Recompiled in 1958. It is further provided that these published notices and the bills which are posted to give notice may also contain the schedule of the visits to be made to the voting places by the Judge of Probate for the purpose of issuing licenses, tags and conducting other business in connection with this office.

(c) The schedule of assessments showing the amount due as taxes for automobiles assessed in said county.

Section 2. This Act shall not affect the times at which said notices are to be published. It is intended only to authorize the payment by the county of the costs of publishing such notices in two newspapers of general circulation in the county, rather than in one such newspaper as now prescribed by law and to provide for and authorize the inclusion of the schedule of visits by the Judge of Probate and for the publishing of the assessment schedule for automobiles.

Section 3. Before any such notice is published prior approval must be obtained by the county officials involved from the Board of Revenue, Court of County Commissioners or other like governing body of the county as to the size and cost of such notices and any other matters connected with the publishing thereof.

Section 4. All laws or parts of laws which conflict with the provisions of this Act are, to the extent of such conflict, hereby repealed.

Section 5. The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
ESCAMBIA COUNTY

I, Tom Gardner, owner and publisher of The Brewton Standard, hereby certify that the attached notice is a true and correct copy of notice published in said Brewton Standard once a week for four consecutive weeks, namely in the issues of June 14, 1962, June 21, 1962, June 28, 1962, July 5, 1962.

I further certify that the said Brewton Standard is a newspaper printed in the English language in Escambia County, Alabama; that said newspaper has a general circulation in the county in which it is published, and has been mailed under the second class mailing privilege of the United States Post Office Department from the Post Office at Brewton, Alabama, where it is published, for more than 52 consecutive weeks.

TOM GARDNER,
By TOM GARDNER.

Subscribed and sworn to before me this 5 day of July, 1962.

AMY B. CORPENING,
Notary Public, State at Large, Ala.

By Messrs. Barnett and Golson:

S. 87. To provide for the calling of a convention to revise and amend the constitution of this state.

Committee on Constitution,
Constitutional Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Mr. Dumas:

S. 88. For the relief of H. E. Bryant; providing that the board of managers of the City of Birmingham retirement and relief system, established by Act No. 929 of the regular session of the legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, Page 1579, et seq.), shall have six months from the effective date of this Act in which to take action on the application of H. E. Bryant for extraordinary disability allowance.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the present special session of the Legislature of Alabama, for introduction and passage of a Bill the substance of which, as distinguished from details, is and will be the substance, as distinguished from detail of the following:

A BILL TO BE ENTITLED AN ACT

Notice is hereby given that at the Special Session of the Legislature of Alabama which convened at the State Capitol on June 12, 1962, there will be made to the Legislature application for the enactment of a special act for the relief of H. E. Bryant, which said special act will provide that the Board of Managers of the City of Birmingham Retirement and Relief System established by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951, (Acts of Alabama of 1951, page 1579, et seq.) shall have six months from the effective date of the

said special act in which to take action on the application of the said Bryant for extraordinary disability allowance under said Act No. 929.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 16, 23, 30, July 7, 1962, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 10 day of July, 1962.

W. M. WESTBROOK, JR.,
Notary Public.

By Mr. Barnett:

§ 89. To alter, rearrange and extend the boundaries and corporate limits of the City of Ozark, Dale County, Alabama, so as to annex certain territory to the city.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY FOR LOCAL ACT

Notice is hereby given that the undersigned hereby intends to apply for the adoption of a local act of the Legislature to increase the corporate limits of the City of Ozark, said act to be substantially as follows:

An Act: To alter, rearrange, and extend the boundaries of the City of Ozark in Dale County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Boundaries of the City of Ozark in Dale County are hereby altered, rearranged, and extended on the south and southwest to include within the corporate limits of the City of Ozark the following described property:

All that portion of the NW¼ of SE¼, Sec. 7, T5N, R24E, lying East of the Ozark to Fort Rucker Highway, the portion of the SW¼ of SE¼,

Sec. 7, T5N, R24E lying east of said Ozark to Fort Rucker Highway; the west 20 acres of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, and that portion of the N $\frac{1}{2}$ of NW $\frac{1}{4}$ lying east and south of said Ozark-Fort Rucker highway; that portion of the S $\frac{1}{2}$ of NW $\frac{1}{4}$ lying east and south of said Ozark-Fort Rucker highway; the west 20 acres of the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, and that portion of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ lying east and south of said Ozark-Fort Rucker Road; and the SW $\frac{1}{4}$ of SW $\frac{1}{4}$, all in Sec. 18, T5N, Range 24E; also that portion of the E $\frac{1}{2}$ of SE $\frac{1}{4}$, Sec. 13, T5N, Range 23E, lying east and south of the Ozark-Fort Rucker Road; NW $\frac{1}{4}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$ of NW $\frac{1}{4}$, NW $\frac{1}{4}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SW $\frac{1}{4}$, all in Sec. 19, T5N, Range 24E; That portion of Sec. 24, T5N, R23E, lying east of the said Ozark-Fort Rucker Road.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA DALE COUNTY

Before me the undersigned authority in and for said County and State, personally appeared John Q. Adams who being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for 4 consecutive weeks, said notice having appeared in the issue of said paper on June 14, 21, 28 and July 5, 1962.

JOHN Q. ADAMS,
(Publisher).

Sworn to and subscribed before me on this the 9 day of July, 1962.

HENRY B. STEAGALL II,
(Notary Public).

REPORTS OF COMMITTEES

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Rutledge (with notice and proof):

S. 82. Relating to the municipality of Haleyville, Winston County, Alabama: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Haleyville, Winston County, Alabama.

By Mr. Murphy:

H. 108. To amend Section 13 of Act No. 934 of the 1961 Legislature approved September 9, 1961 to provide for further distribution of the costs of carrying out the provisions of said Act.

By Messrs. Rogers (Mobile), Murphy and Engel:

H. 165. Relating to counties having populations of not less than 200,000 nor more than 500,000; providing for the assessment of solicitors'

fees as a part of the costs of appeals from judgments rendered in certain municipal courts.

By Messrs. Rogers (Mobile), Murphy and Engel (with notice and proof):

H. 173. To provide that the laws governing the County wide Civil Service System of Mobile County, Alabama shall apply to the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, in the office of the Clerk of the Circuit Court of Mobile County, Alabama, and to provide for the person holding the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, to be placed on the employment roster of the Civil Service System of Mobile County and to be placed in the proper class and salary level.

RESOLUTION

Messrs. Caffey, Andrews, Eddins, Porter, Givhan and Laxson offered the following Senate Joint Resolution, to-wit:

S. J. R. 11. WHEREAS, the members of the Legislature have been saddened by the passing of the Honorable George E. Stone on Sunday, July 8, 1962 at the venerable age of 86, and

WHEREAS, George E. Stone was a native of Alabama, the son of distinguished Confederate forebears, a lawyer, a gentleman steeped in the finest traditions of the Southland and of the City of Mobile, a dedicated public official who served the citizens of Mobile County for 62 years as county treasurer with integrity and zeal, and

WHEREAS, it is fitting that the Legislature pay tribute to the life of public service and to the memory of this illustrious citizen; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That we hereby express deep regret at the passing of Honorable George E. Stone, and share in a feeling of sorrow with the surviving members of his family, the citizens of Mobile County, and the host of his friends throughout the State of Alabama on the passing of a good and great man.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Honorable George E. Stone, Jr., a distinguished former member of the House.

On motion of Mr. Caffey the Rules were suspended and the Resolution, S. J. R. 11, was adopted by the Senate.

RECESS

At 12:24 P.M., on motion of Mr. Andrews, the Senate took a recess until 2:30 o'clock this afternoon.

AFTERNOON SESSION

FOURTEENTH LEGISLATIVE DAY

TUESDAY, JULY 10, 1962

The Senate re-assembled at 2:30 P.M., Lieutenant Governor Boutwell presiding.

ROLL CALL

Present:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Laxson	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Word
Crawford	Graham	Robison	Wyatt
deGraffenried	Green		

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MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 96. Relating to Colbert County; levying additional special privilege or license taxes and excise taxes paralleling with like provisions in the county, such state taxes as are levied by the State of Alabama by Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments and additions thereto; providing for the enforcement and collection of the taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; prescribing the purposes for which such proceeds may be used; and superseding Act No. 485, H. 1049, approved August 30, 1949 (Acts 1949, p. 704), the county sales and use tax law.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 59. To fix the number of senators and representatives in the legislature, divide the state into senatorial districts, and apportion the senators and representatives among the several districts and counties.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 10. Relative to commending Big Nit for his manner of conducting himself to the end that the purpose of his trip was accomplished.

Also:

S. J. R. 11. Relative to expressing deep regret at the passing of Honorable George E. Stone of Mobile, Alabama.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By: Messrs. Harvey, Turnham, Oakley, Bishop, Jenkins, Grant, Hardy, Jones (Covington), Glass, Rogers (Macon), Dodd, Long (Lauderdale), McCorquodale, Jones (Monroe), Brannan, Albea, Salter, Bassett, Pierce, Faulk, Sullivan, Ford, McLendon (Bullock), Hankins, Ashworth, Torbert, Bailey, Merrill, Pruitt, Smith (Russell), Turner, Goodwyn, Camp, Adams:

H. J. R. 31. Whereas, W. A. LeCroy assumed the responsibilities of the office of State Superintendent of Education on July 1, 1961, to serve the unexpired term of Dr. Frank R. Stewart, and

Whereas, at the time of his appointment stringencies resulting from proration of educational funds presented grave problems involving teachers salaries, shortened school terms, deficit financing in many school districts, and many other problems, all of which presented a formidable challenge to the administrative leadership in the State Department of Education, and

Whereas, W. A. LeCroy responded to the challenge with ability and diligence, and devotion to duty, and in such a manner as to inspire those with whom he labored, and to evoke the respect and admiration of this legislature for a job well done, and

Whereas, the appointive term of W. A. LeCroy will shortly expire and it being the desire of this legislature to publicly recognize and commend his achievements in office, now therefore

Be It Resolved That The House of Representatives, the Senate Concurring Herein, does hereby record its expression of appreciation for the invaluable services of W. A. LeCroy in behalf of, and for his leadership and significant contributions to the cause of public school education in Alabama, and further extend to him hearty best wishes for continued success and higher rewards in the field of educational endeavor.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Shelton, the Rule were suspended and the Resolution, H. J. R. 31 set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Goodwyn:

H. J. R. 32. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Journals of the House and Senate of this Special Session of the Alabama Legislature be bound in one and the same volume.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 32 set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 64. Relating to the municipality of Hamilton, in Marion County, Alabama: To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Hamilton, Alabama.

Also:

S. 67. To provide for branch banking in Baldwin County; authorizing any bank located in the county to establish one or more branches, additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business at Daphne in said county.

Also:

S. 69. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 16,500 nor more than 17,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

S. 68. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing special assistants for sheriffs of such counties.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Murphy:

H. 164. To amend Act No. 934, H. 1268 of the Regular Session of the Legislature of 1961 (Acts 1961, p. 1506) which provides for a program of property tax equalization in any county of the state having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal decennial census, in order to prescribe the term of service and the compensation therefor of members of the board of equalization in any such county.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House was read one time and referred to appropriate Standing Committee as follows:

H. B. 164—to the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Self:

H. 181. Relating to the municipality of Weston, in Marion County, Alabama: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Weston, Marion County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the municipality of Weston, in Marion County, Alabama:

To alter, rearrange, and extend the boundaries and corporate limits of the Town of Weston, Marion County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The Boundaries of the municipality of Weston in Marion County, Alabama are hereby altered, rearranged, and extended to include within the corporate limits within the Town of Weston, Alabama, the following described territory, situated in Marion County, Alabama, to-wit:

SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 30; SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 29; SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 29; SW $\frac{1}{4}$, Section 29; N $\frac{1}{2}$ of NW $\frac{1}{4}$ Section 32; NW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 29; NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 29; All that part of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 29, lying north of State Highway 17; and S $\frac{1}{2}$ of NE $\frac{1}{4}$ Section 29, all in Township 10, Range 14, West.

Section 2. This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
MARION COUNTY

Personally appeared before me, the undersigned authority in and for said county and state, Oscar Roden, who, after being duly sworn, deposed and says:

My name is Oscar Roden. I am publisher of the Daily Northwest Alabamian a newspaper of general circulation, published daily in Marion County, Alabama. The copy of publication hereto attached was published in said newspaper for 4 consecutive weeks, and the respective number and dates of said newspaper in which said publication was made are the following, to-wit:

No. 1 the 22nd day of May 1962; No. 2 the 29th day of May 1962; No. 3 the 5th day of June 1962; No. 4 the 12th day of June 1962.

OSCAR RODEN,
Publisher.

Sworn and subscribed to before me this 5th day of July, 1962.

RUBY W. SELF,
Notary Public.

Also:

By Messrs. Thomas and Lee:

H. 175. To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties.

Also:

By Mr. Speaks:

H. 176. To provide further for the purging the lists of registered voters in Chilton County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the Board of Registrars, Judge of Probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CHILTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage and enactment will be made, to-wit:

AN ACT

To provide further for the purging the lists of registered voters in Chilton County; requiring and prescribing the procedure for the reidentification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the reidentification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of Chilton County is hereby directed to purge all lists of the registered electors in the county to the end that the names of all persons who are deceased or nonresidents of the county, or have otherwise become disqualified from voting in Chilton County, shall be removed from such lists, and that the name of each qualified elector shall appear only on the list of qualified electors for the beat in which he resides.

Section 2. The board of registrars shall omit and remove from the lists of qualified electors of the county the name of any person who fails

to reidentify himself, in the manner prescribed herein, before the first day of January, 1963. No person whose name is removed from the list of qualified electors as herein provided shall cease permanently to be a qualified elector nor be subject to re-registration, but shall be subject only to the requirement that he reidentify himself as a duly registered elector before being listed on the list of qualified electors in the county, and before being entitled to vote.

Section 3. Prior to the first day of January, 1963, the board of registrars of Chilton County is hereby authorized, directed, and required to visit each beat in the county at least once, and more often if necessary, and remain there at least one day from nine o'clock in the morning until five o'clock in the afternoon, for the purpose of enabling qualified and registered voters residing in the beat to appear before the board and reidentify themselves. The board shall give at least ten days notice, by advertisement in a newspaper published in the county, of the time when, and the place in the beat where, they will attend for the purpose of enabling voters to appear and reidentify themselves. Upon failure to give such notice, or to attend any appointment made by them in any beat, they shall, after like notice, fill new appointments. The board shall remain in session for thirty days. During the 30 day session the board shall visit each beat on at least one day and the remainder of the time may be divided as the board of registrars deem necessary, to enable the qualified electors of the county to appear and reidentify themselves in the manner prescribed herein. If in the opinion of the board of registrars additional time is necessary, the governing body of the county may at their discretion grant additional time not to exceed ten (10) additional days.

Section 4. Each member of the board of registrars shall receive ten dollars per day, for each day's attendance upon the special sessions of the board required under the provisions of this Act; but if such special session is held on the same day a regular session is required to be held under the laws of this State, registrars shall receive only one per diem allowed for performing their regular duties, it being the intent and purpose of this Act that registrars shall be entitled to receive only one per diem allowance for one day's service. If one or more of the members of the board shall refuse, neglect, or be unable to serve, or if a vacancy or vacancies occur in the membership of the board from any cause, the Governor, State Auditor, and Commissioner of Agriculture and Industries, or a majority of them shall forthwith make other appointments to fill such vacancies.

Section 5. The voter may reidentify himself by appearing in person before the board of registrars or by appearing before the judge of probate, or either of the clerks in the office of the judge of probate, or before the board of registrars in regular session, and answering such questions and submitting such proof under oath, as the board may require in order to establish the voter's identity, place of legal residence, and the fact that the voter has not become disqualified from voting in the county. Provided, however, that a member of the armed forces of the United States of America or his spouse may reidentify himself in person or by United States mail on application as provided by the board of registrars.

Section 6. The board of registrars shall meet on the first Monday in January, 1963, for the purpose of purging the registration lists and the names of all persons who have failed to appear and reidentify themselves in the manner herein prescribed shall be stricken from the lists, provided, however, that said board shall not strike the name of any person, or of the spouse of any person, known by any member of said board, or made known to the said board by the written affidavit of another qualified elector, to be in active duty of any of the armed forces of the United States

of America, and to be stationed, or to be living with her or his spouse, as the case may be, outside of Chilton County, Alabama, during the period of time from the effective date hereof to January 1, 1963.

Section 7. Any qualified elector of the county who shall have his name omitted or removed from the list of qualified electors in the county by failure to appear and reidentify himself as herein provided shall be entitled to have his name restored to the list of qualified electors by appearing in person at the office of the board of registrars, or at the office of the judge of probate, and answering such questions and submitting such proof, under oath, as the board may require to establish the voter's identity, place of legal residence, and the fact that the voter has not become disqualified from voting in the county. Provided, however, that this Act shall not be construed or applied to impair or deny the right to vote in person or by absentee ballot of any person or of the spouse of any person, now a qualified elector of said county, who is in active duty of any of the armed forces of the United States of America and stationed, and, as to the spouse, who is living with her or his husband or wife as the case may be, outside of Chilton County, Alabama, during the period of time from the effective date hereof to January 1, 1963.

Section 8. The Board of Revenue and Control of Chilton County is hereby authorized, directed, and required to furnish the board of registrars and probate judge with the supplies, equipment, maps, printed forms, stationery, and newspaper advertisements necessary for the reidentification of voters as herein provided.

Section 9. The questionnaire to reidentify a voter shall be in substantially the following form:

VOTERS REIDENTIFICATION QUESTIONNAIRE

Chilton County, Alabama

Date _____, 196_____

Name _____

First	Middle	Last
Legal Residence Address _____	Street _____	State _____

City or Town _____

Date of Birth _____ Sex _____ Color _____

Place of Birth _____

Occupation _____

Name of Employer _____

I now vote and I am a qualified elector in precinct or Beat No. _____,

Box No. _____, Chilton County, and I have not been disqualified from voting in this county. I am not a qualified voter in any other county in the State of Alabama or in any other State in the United States.

I have resided in Precinct or Beat No. _____ for the past three months.

Signed _____
Signature of Voter

Sworn to and subscribed before me this _____ of _____, 196_____.

Registrar—Judge of Probate

Section 10. Any person who willfully makes a false statement to the board of registrars, or any duly authorized person in reidentifying himself as a qualified elector in the manner provided herein shall be guilty of perjury, and upon conviction thereof shall be punished by imprisonment in the penitentiary for not less than one nor more than five years.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this Act are repealed.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF CHILTON

Personally appeared before the undersigned Francis W. Speaks, Notary Public, in and for said county and state, T. E. Wyatt, Publisher of The Union-Banner, a newspaper published at Clanton, County of Chilton, State of Alabama, who, being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in its issues of: 14 day of June, 1962; 21 day of June, 1962; 28 day of June, 1962; 5 day of July, 1962.

T. E. WYATT, Publisher.

Subscribed and sworn to before me this 5 day of July, 1962.

FRANCIS W. SPEAKS,
Notary Public.

Also:

By Mr. Harris:

H. 182. Relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LEGISLATION

Notice is hereby given that a local act, law or bill will be introduced in the Legislature of the State of Alabama, at the Special Session beginning June 12, 1962, for the purpose of and in substance as follows:

An act relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Fort Payne in DeKalb County are hereby altered, re-arranged and extended to include within the corporate limits of the City of Fort Payne the following described territory, in addition to that already within the corporate limits, to-wit:

Beginning at the point in the South $\frac{1}{2}$ of Section 4, Township 7 South, Range 9 East of the Huntsville Meridian, where the east line of the west $\frac{1}{2}$ of said Section 4 intersects the northerly right-of-way line of Alabama Highway No. 35, run in an easterly direction with said right-of-way line of Highway No. 35 to the east line of said Section 4; thence run in a northerly direction, with the east line of said Section 4 to a point 750.0 feet south along said section line from the northeast corner of said Section 4; thence run N. 76 degrees 19' W., 1203.64 feet; thence N. 42 degrees 28' W., 1,204.26 feet; thence N. 37 degrees 52' E., 220.9 feet; thence N. 47 degrees 09' W., 951.0 feet to the easterly right-of-way line of the Alabama Great Southern Railway; thence run in a northeasterly direction with said easterly right-of-way line to a point on the projected north line of Lot 18 in the Hawkins Addition to the City of Fort Payne, Alabama; thence run in a northwesterly direction to the NW corner of Lot 18 and the easterly right-of-way line of DeKalb County Highway 137; thence run in a southwesterly direction with said right-of-way line to the centerline of Beeson Branch; thence run in a southwesterly direction with the centerline of Beeson Branch to the westerly right-of-way line of the Alabama Great Southern Railway, thence run in a southwesterly direction with said westerly right-of-way line to the North line of Section 4, Township 7 South, Range 9 East; thence run in an easterly direction with the north line of said Section 4 to the NE corner of the NW $\frac{1}{4}$ thereof; thence run in a southerly direction with the East line of the West $\frac{1}{2}$ of said Section 4 to the point where it intersects the northerly right-of-way line of Alabama Highway No. 35 and to the point of beginning.

Section 2. This act shall become effective immediately upon the passage and approval by the Governor or upon its otherwise becoming a law.

PUBLISHER'S CERTIFICATE

STATE OF ALABAMA

COUNTY OF DEKALB ss:

Personally appeared before the undersigned, a Notary Public, within and for said County and State, Doward N. Jones, published of The Times-Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published 4 consecutive issues in said newspaper in its issues of 6/12, 6/19, 6/26, 7/3, 1962.

DOWARD N. JONES,
Publisher.

Sworn to and subscribed before me this 5 day of July, 1962.

BEMA IGOU,
Notary Public.

My commission expires January 5, 1965.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 181 - 175 - 176 and 182 - to the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, vetoing the bill, H. 32, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill 32, without the Governor's approval.

Respectfully submitted,
JOSEPH G. ROBERTSON,
Joseph G. Robertson
Executive Secretary

July 5, 1962

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill 32, without my signature and approval.

Respectfully,
JOHN PATTERSON,
Governor

And the House has reconsidered the bill, H. 32.

And the bill:

H. 32. To confer upon the Alabama Public Service Commission exclusive authority and power to regulate the rates of and to supervise certain public utilities the operations of which are exempt, in whole or in part, from the provisions of the Alabama Motor Carrier Act of 1939, and which said utilities are engaged in business as common carriers of passengers for hire within counties having a population of 500,000 or more inhabitants according to the latest or any subsequent federal census.

was again read at length and passed by the House, the Governor's veto to the contrary notwithstanding, by a vote of Yeas 73; Nays 3, which was a majority of the whole number elected to the House.

And said bill, together with the veto message proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Dumas, the Senate reconsidered the Bill, H. B. 32, the title of which is set out in the foregoing Message from the House.

And said Bill, H. B. 32, was again read at length and passed, the Governor's objection to the contrary notwithstanding.

Yeas 28; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Rutledge
Andrews	Dumas	Haltom	Samford
Barnett	Eddins	Hines	Shelton
Berryman	Farmer	Jones	Turner
Caffey	Gaither	Kendall	Webb
Clark	Givhan	Laxson	Wilson
Cooper	Graham	Porter	Wyatt
Crawford			

—28

Nays:

—0

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Harris:

H. 183. Relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LEGISLATION

Notice is hereby given that a local act, law or bill will be introduced in the Legislature of the State of Alabama, at the Special Session beginning June 12, 1962, for the purpose of and in substance as follows:

An act relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Fort Payne in DeKalb County are hereby altered, re-arranged and extended to include within the corporate limits of the City of Fort Payne, the following described territory, in addition to that already within the corporate limits, to-wit:

All lands outside the previously delineated corporate limits but inside the following described area:

Beginning at the SE Corner of Section 26, Township 7 South, Range 8 East of the Huntsville Meridian in DeKalb County, Alabama, run northwestwardly to the NW corner of said Section 26, thence run northeastwardly to the NE corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13, Township 7 South, Range 8 East; thence run northwestwardly to the NE corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 11, Township 7 South, Range 8 East; thence run northeastwardly to the NE corner of the SW $\frac{1}{4}$ of Section 29, Township 6 South, Range 9 East; thence run southeastwardly to the SW corner of Section 28, Township 6 South, Range 9 East; thence run eastwardly to the SE corner of said Section 28; thence run northeastwardly to the NE corner of the SW $\frac{1}{4}$ of Section 27, Township 6 South, Range 9 East; thence run southeastwardly to the SE corner of Section 27, Township 6 South, Range 9 East; thence run southwestwardly to the NE corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34, Township 6 South, Range 9 East; thence run southeastwardly to the NE corner of the SE $\frac{1}{4}$ of Section 3, Township 7 South, Range 9 East; thence run southwestwardly to the SW corner of the SE $\frac{1}{4}$ of Section 17, Township 7 South, Range 9 East; thence run northwestwardly to the NE corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 17; thence run in a southwestwardly to the SE corner of Section 26, Township 7 South, Range 8 East and the point of beginning.

Section 2. This act shall become effective immediately upon the passage and approval by the Governor or upon its otherwise becoming a law.

PUBLISHER'S CERTIFICATE

STATE OF ALABAMA
COUNTY OF DEKALB

ss:

Personally appeared before the undersigned, a Notary Public, within and for said County and State, Doward N. Jones, publisher of The Times-Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published in 4 consecutive issues in said newspaper in its issues of 6/12, 6/19, 6/26, 7/3, 1962.

DOWARD N. JONES,
Publisher.

Sworn to and subscribed before me this 5 day of July, 1962.

BEMA IGOU,
Notary Public.

My commission expires January 5, 1965.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 183—to the Committee on Local Legislation

UNFINISHED BUSINESS
BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today which was the Bill:

S. 58. To provide further for nominations by political parties of candidates for election to the legislature; confirming and continuing certain nominations made in the party primary elections or party meetings in May 1962; authorizing, providing for and regulating special party primary elections and mass, beat, or other party meetings under certain conditions for the purpose of nominating certain of such candidates; and placing special duties on the secretary of state.

and pending substitute offered by the Standing Committee on Judiciary which said substitute is set out at length in the Journal of the Senate for the Ninth Legislative Day.

And said Committee substitute was then adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	deGraffenried	Haltom	Robison
Andrews	Dumas	Hines	Samford
Barnett	Eddins	Jones	Shelton
Berryman	Farmer	Kendall	Turner
Caffey	Givhan	Laxson	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Wyatt
Crawford	Graham		

—29

Nays:

—0

Mr. Cooper moved that further consideration of the Bill, S. B. 58 as amended by the substitute be postponed until the next Legislative Day. The motion to postpone was lost.

Yeas 7, Nays 21.

Yeas:

Messrs.:	Barnett	Crawford	Golson
Andrews	Cooper	Godfrey	Porter

—7

Nays:

Messrs.:	Eddins	Laxson	Turner
Berryman	Farmer	Moses	Webb
Caffey	Graham	Robison	Wilson
Clark	Haltom	Samford	Word
deGraffenried	Hines	Shelton	Wyatt
Dumas	Kendall		

—21

And said Bill, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 3.

Yeas:

Messrs.:	Dumas	Kendall	Shelton
Barnett	Eddins	Laxson	Turner
Berryman	Farmer	Moses	Webb
Caffey	Graham	Porter	Wilson
Clark	Green	Robison	Word
Crawford	Haltom	Rutledge	Wyatt
deGraffenried	Hines	Samford	

—26

Nays:

Messrs.:	Andrews	Cooper	Gaither
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—3

The Bill:

S. 8. Proposing an amendment to the Constitution of Alabama relating to the mode of proposing constitutional amendments.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 7.

Yeas:

Messrs.:	Eddins	Hines	Robison
Andrews	Farmer	Jones	Rutledge
Barnett	Gaither	Kendall	Webb
Berryman	Godfrey	Moses	Wilson
Clark	Golson	Porter	Wyatt
Cooper	Graham		

—21

Nays:

Messrs.:	deGraffenried	Haltom	Samford
Caffey	Dumas	Laxson	Shelton

—7

POINT OF PERSONAL PRIVILEGE

Mr. Graham offered the following in writing:

"I request that the following be spread upon the journal of the Senate:

Had I been present when H. B. 59 was voted upon I would have voted "Nay."

/s/ Joe W. Graham

Which was read and ordered spread upon the Journal.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Hawkins, Edwards, Morrow, Rast, Locke, Perry and Sessions:

H. J. R. 29. Whereas, the Legislature of Alabama has been saddened by the untimely passing of Mr. David Trotter Jones in Birmingham, Alabama on July 9, 1962, and

(Whereas, Mr. Jones was executive vice president of Associated Industries of Alabama and was influential in the promotion and development of many industries in Alabama and in bringing other industries into our state, and

Whereas, his ability and devotion to industrial development have long been recognized as evidenced by his appointment to many committees of the National Industrial Council, and his elevation to the chairmanship of the Alabama Division of the Council, and

Whereas, Mr. Jones was for thirteen years State Adjutant General of the American Legion, having served with distinction overseas in World War I, and

Whereas, Mr. Jones was a prime factor in the establishment of Boys State and was a leader in many other civic, social and cultural enterprises, and

Whereas, Mr. Jones was a devout communicant of the Episcopal Church to which he gave his untiring efforts, being a trustee of St. Martin's-in-the-Pines, Episcopal Home for the Aging, therefore

Be It Resolved by the Legislature of Alabama:

That this body expresses its deepest sorrow and regret upon the death of Mr. Jones and extends its sincere sympathy to Mrs. Jones and to his daughters Mrs. Clay Davis and Mrs. Manson Murray.

Be It Further Resolved that a copy of this resolution be sent to Mrs. Jones and that it be spread upon the pages of the journal.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Graham, the Rules were suspended and the Senate proceeded to consideration of the Resolution, H. J. R. 29, which said Resolution is set out in the foregoing Message from the House.

Mr. Graham then offered the following substitute for the Resolution, to-wit:

SUBSTITUTE FOR H. J. R. 29

Substitute for H. J. R. 29. D. Trotter Jones was born in Talladega, Alabama, on October 31, 1894, was reared in Talladega and was engaged in the insurance field prior to assuming the post of State Adjutant for the American Legion, Department of Alabama, which post he held from 1931 until 1944, and afterwards being chosen and serving as Executive Vice President of Associated Industries of Alabama until the date of his death on July 9, 1962.

He was always interested in the youth of Alabama and played an important part in the establishment of the Alabama Boys State, which is a yearly program of training the youth of Alabama in government.

He served as chairman of the State group of the National Industrial Council, with which A. I. A. is affiliated and on many committees of the Council.

In 1951 he received the Charles Davis award bestowed by the N. I. C. for outstanding work in public relations.

He was a veteran of World War I, with overseas service.

Surviving him are his widow, Marietta and two daughters, Mrs. H. Clay Davis, of Birmingham, who has two children, and Mrs. J. Manson Murray of Mobile, who also has two children.

A close and constant observer of State and National governmental policies and the problems of labor-management relations, he has made many appearances representing business and industry before the people of this and other States.

He was a member of the Birmingham Kiwanis Club, The Club, and St. Luke's Episcopal Church. He was a trustee of St. Martin in the Pines, Episcopal Home for the Aging.

To many of the members of this Legislature, he was a close personal friend and one admired by all who knew him.

NOW THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES THE SENATE CONCURRING, That the Legislature of Alabama has heard with deep and profound sorrow of the death of D. Trotter Jones, and the two Houses, sharing in the grief, and desiring to manifest their sensibility upon the occasion of the family's bereavement, request the clerk of the House to transmit a copy of this resolution to Mrs. Jones and to assure her and her family of the profound respect of the two Houses for the person and character of D. Trotter Jones and of their sincere condolence on his untimely passing.

Which was adopted.

And said Resolution, as thus amended by the Substitute was then concurred in and adopted by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Moses:

S. 90. Proposing an amendment to the Constitution of Alabama relative to levying property taxes for public school purposes in Franklin County.

Committee on Local Legislation.

The above bill was read a first time at length as required by the Constitution.

By Mr. Word:

S. 91. To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census, from making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of passing vehicles, unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use.

Committee on Local Legislation.

By Mr. Word:

S. 92. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for any county in this State which has a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal decennial census.

Committee on Local Legislation.

REPORTS OF COMMITTEES

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Nichols and Camp:

H. 112. To authorize and provide for the establishment of a junior college to be located in any county having a population of not less than 65,000 nor more than 95,000 inhabitants; to create a board of trustees to govern such college; to authorize the board of trustees to select the location for such college, name it, appoint a president and certain other offi-

cers therefor, and prescribe rules and regulations to govern the college; to constitute the college a body corporate upon compliance with certain conditions; to authorize the board of trustees to accept gifts, donations, devises, and bequests; and to buy, hold, sell or otherwise dispose of real and personal property for and in the name of the college; to authorize the governing body of any such county and of each incorporated municipality in any such county to make appropriations of public funds in aid of the college; to authorize the board of education of any such county and the board of education of any incorporated municipality therein to use public school funds in aid of such college and to provide transportation and certain other facilities to students attending the college; to exempt from taxation the property of the college; and to exempt officers and employees of the college from certain civil duties and from certain municipal privilege licenses.

By Mr. Gaither:

S. 76. To authorize and direct the Alabama Education Authority to allocate and distribute certain funds to the county board of education of Coosa County for the purpose of erecting additional classrooms for negro schools, upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959.

By Mr. Word (by request):

S. 51. To provide further for the compensation of election officials in each county having a population of not less than 110,000 nor more than 160,000, according to the 1960 or any subsequent federal decennial census.

By Mr. Hearn:

H. 150. To create the office of deputy solicitor for all counties having two court houses at which any of the business of the circuit court or other court of record therein is regularly transacted from time to time and having a population of not less than 36,000 nor more than 75,000, according to the last or any subsequent federal decennial census; to fix the salary, provide for the appointment and removal, and define the powers and duties of such deputy solicitors; and to repeal all general and local laws in conflict herewith.

By Mr. Hearn:

H. 159. To provide for the compensation and expense allowance of members of the county board of education in all counties having populations of not less than 46,600 nor more than 49,050 according to the 1960 or any subsequent federal decennial census; providing for further compensation for certain other services performed for the school system in any county to which this Act applies in addition to services and duties ordinarily and customarily rendered by board members in such counties; providing for reimbursements for reasonable expenses incurred in performance of such extraordinary services; providing for the time that such increase in compensation shall become effective; and providing penalties for violation of the terms of this Act.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute and it was read a second time and placed on the calendar, to-wit:

By Mr. Givhan (with substitute):

S. 84. To appropriate the sum of \$20,000 to the State Fair Authority to aid in the construction of a livestock exhibit building.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Godfrey:

S. 83. To define a normal work week for certain state employees, and to prescribe the maximum number of hours to be worked each day.

By Mr. Robison:

S. 74. To provide for the study of ways and means of solving problems of mental health and mental retardation, creating a legislative committee for that purpose.

BILLS ON THIRD READING RESUMED

The Bill:

H. 142. To validate in certain cases elections held in any county in this State, which has a population of less than fifty thousand according to the last federal decennial census, for the purpose of authorizing a special tax for public hospital purposes under the Constitution.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Shelton
Berryman	Givhan	Laxson	Turner
Caffey	Godfrey	Moses	Webb
Clark	Golson	Porter	Wilson
Cooper			

—24

Nays:

—0

The Bill:

H. 143. To validate in certain cases elections heretofore held in counties having populations of less than fifty thousand according to the last federal decennial census or in school districts in any of such counties for the purpose of authorizing a special tax for any school purpose, or for school purposes generally, under the Constitution.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison	
Barnett	Givhan	Hines	Turner	
Caffey	Godfrey	Kendall	Webb	
Clark	Golson	Laxson	Wilson	
Cooper	Graham	Moses	Word	
Crawford	Green	Porter	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 144. To validate in certain cases elections heretofore held in counties having populations of less than fifty thousand according to the last federal decennial census, or in school districts or municipalities in such counties for the purpose of authorizing any special tax under the Constitution.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Samford	
Andrews	Farmer	Jones	Shelton	
Barnett	Gaither	Kendall	Turner	
Berryman	Graham	Porter	Wilson	
Crawford	Green	Robison	Word	
deGraffenried	Haltom	Rutledge	Wyatt	
Dumas				—24

Nays: —0

The Bill:

S. 75. To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Clark	Crawford	Dumas
Caffey	Cooper	deGraffenried	Farmer

Givhan	Jones	Robison	Webb
Golson	Laxson	Rutledge	Wilson
Graham	Moses	Shelton	Word
Green	Porter	Turner	Wyatt
Haltom			

—24

Nays: —0

The Bill:

S. 79. Relating to Perry County; providing for the election of members of the court of county commissioners, board of revenue, or other like governing body of Perry County by districts.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Golson	Robison
Andrews	Eddins	Hines	Rutledge
Barnett	Farmer	Jones	Samford
Berryman	Gaither	Kendall	Shelton
Caffey	Givhan	Laxson	Turner
Clark	Godfrey	Moses	Webb
Cooper			

—24

Nays: —0

The Bill:

S. 78. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Jones	Shelton
Caffey	Godfrey	Kendall	Turner
Clark	Golson	Laxson	Webb
Cooper	Graham	Moses	Wilson
Crawford	Green	Porter	Word
deGraffenried	Haltom	Robison	Wyatt
Dumas			

—24

Nays: —0

The Bill:

H. 133. Providing that in any county having a population of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census, it shall be unlawful for any person to

enter, or attempt to enter, any church of which he is not a member while religious services are in progress therein after having been requested not to enter or attempt to enter said church by any member, usher, minister or preacher of said church, or to fail to leave or vacate said church of which he is not a member after such service has begun therein when requested to do so by any member, usher or preacher or minister of said church, and to provide and prescribe punishment for violation of this Act.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Samford
Andrews	Farmer	Jones	Shelton
Barnett	Gaither	Kendall	Turner
Berryman	Graham	Porter	Wilson
Crawford	Green	Robison	Word
deGraffenried	Haltom	Rutledge	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 160. To amend Act No. 283, H. 561, approved August 23, 1955, which authorizes and provides for the establishment of a fund designated as the "Solicitor's Fund" for the Solicitor of the Sixth Judicial Circuit, which is drawn upon by the Circuit Solicitor of the Sixth Judicial Circuit, and provides that the Solicitor's fees taxed in all criminal proceedings in the Circuit Court of Tuscaloosa County be paid into such Fund for such purpose (1955 Acts, Volumn 1, page 649).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Laxson	Webb
Clark	Godfrey	Moses	Wyatt
Cooper			

—24

Nays:

—0

The Bill:

H. 161. To amend the title to and Section 1 of Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956 (as heretofore amended), entitled, "An act relative to municipalities in this state having a population of not less than 23,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or

activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof," so as to make said Act applicable to municipalities having a population of not less than 8,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gaither	Haltom	Samford
Caffey	Givhan	Laxson	Turner
Clark	Godfrey	Moses	Webb
Cooper	Golson	Porter	Wilson
Crawford	Graham	Robison	Word
deGraffenried	Green	Rutledge	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 167. To amend Act No. 121 of the Special Session of the Legislature of Alabama of 1961, entitled "An Act To amend further Act No. 539, S. 253, approved July 23, 1931, providing for a board of education for Winston County (Local Acts of Alabama 1931, p. 257) so as to provide further for the manner of election of such board; to prescribe their term of office; and to provide for selection of a chairman of the board," approved September 15, 1961.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Farmer	Haltom
Andrews	deGraffenried	Gaither	Hines
Barnett	Dumas	Graham	Jones
Berryman	Eddins	Green	Kendall

Laxson	Rutledge	Shelton	Word	
Porter	Samford	Wilson	Wyatt	
Robison				—24
Nays:				—0

The Bill:

H. 168. To further provide for the election of a County Superintendent of Education of Winston County, Alabama, by the qualified voters thereof; to prescribe and fix the duties, qualifications, term of office, and compensation of such Superintendent, and to provide for the filling of vacancies in said office.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Samford	
Andrews	Farmer	Jones	Shelton	
Barnett	Gaither	Kendall	Turner	
Berryman	Givhan	Laxson	Webb	
Caffey	Godfrey	Moses	Wilson	
Clark	Golson	Rutledge	Word	
Cooper				—24
Nays:				—0

The Bill:

H. 169. To provide for additional meetings of boards of registrars in counties having populations of not less than 46,475 nor more than 48,000 inhabitants.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Kendall	Shelton	
Caffey	Godfrey	Laxson	Turner	
Clark	Golson	Moses	Webb	
Cooper	Graham	Porter	Wilson	
Crawford	Green	Robison	Word	
deGraffenried	Haltom	Rutledge	Wyatt	
Dumas				—24
Nays:				—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Berryman, further consideration of H. B. 138 was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate Bill and returns same herewith to the Senate:

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

Mr. Gaither moved that the Senate concur in the following House amendment to the Bill, S. B. 29, the title of which is set out in the foregoing Message from the House.

Amendment to S. 29

In Section 1, strike out paragraph 7 of the proposed constitutional amendment.

Mr. Turner moved as a substitute motion that the Senate non-concur in said House amendment and request Committee on Conference.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions, with the original Senate Bills and Senate Joint Resolutions, respectively and finds same correctly enrolled, to-wit:

S. 64. Relating to the municipality of Hamilton, in Marion County, Alabama: To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Hamilton, Alabama.

Also:

S. 67. To provide for branch banking in Baldwin County; authorizing any bank located in the county to establish one or more branches, additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business at Daphne in said county.

Also:

S. 68. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing special assistants for sheriffs of such counties.

Also:

S. 69. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 16,500 nor more than 17,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

S. J. R. 10. Commending Willie Vester Graham, ("Big Nit"), for his manner in accomplishing the purpose of his trip north.

Also:

S. J. R. 11. Expressing regret at the passing of the Honorable George E. Stone and extending sympathy to the family.

HUGH MOSES,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

BILLS ON THIRD READING RESUMED

The Bill:

H. 132. Providing that in any county having a population of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census, it shall be unlawful for any person to go upon or remain upon the lands, buildings or premises of another or any part, portion, or area thereof after having been forbidden to do so either orally or in writing by the owner, lessee, custodian, or other person in possession thereof, his agent or representative or after having been forbidden to do so by a written legible sign or signs posted on such lands, buildings or premises at a place or places where such sign or signs are visible, and to fix the punishments for a violation of this Act.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill:

AMENDMENT TO HOUSE BILL 132

Amend H. 132 by adding at the end of Section 2 the following: "Provided, however, the provisions of this Act shall not apply to any labor dispute or to persons engaged in lawful picketing."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Shelton
Berryman	Graham	Laxson	Wilson
Crawford	Green	Porter	Word
deGraffenried	Haltom	Robison	Wyatt
Dumas			

—24

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Shelton
Berryman	Graham	Laxson	Wilson
Crawford	Green	Porter	Word
deGraffenried	Haltom	Robison	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 134. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 100,000 nor more than 110,000 according to the last or any subsequent federal decennial census.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill:

AMENDMENT TO HOUSE BILL 134

Amend House Bill 134 by striking from said bill Section 2 in its entirety and inserting in lieu thereof the following:

“Section 2. Election officers who are appointed and serve under provisions of Chapter 1, Title 17, Code of Alabama 1940, as amended, shall receive additional compensation and allowances as follows: the returning officer and the inspectors and clerks shall each be entitled to an additional five dollars (\$5.00); the several claims shall be paid as preferred claims, out of moneys in the county treasury not otherwise appropriated, on proper proof of service rendered, and shall be paid from county funds only and for which there shall be no reimbursement.”

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Porter
Andrews	Eddins	Hines	Rutledge
Barnett	Farmer	Jones	Samford
Berryman	Gaither	Kendall	Shelton
Caffey	Givhan	Laxson	Turner
Clark	Godfrey	Moses	Webb
Cooper			

—24

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Porter
Andrews	Eddins	Hines	Rutledge
Barnett	Farmer	Jones	Samford
Berryman	Gaither	Kendall	Shelton
Caffey	Givhan	Laxson	Turner
Clark	Godfrey	Moses	Webb
Cooper			

—24

Nays:

—0

The Bill:

H. 123. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 20,500 nor more than 21,850 according to the last or any subsequent federal decennial census.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

SUBSTITUTE FOR HOUSE BILL NO. 123

A BILL TO BE ENTITLED AN ACT

To fix additional compensation and allowance of certain election officers in every county of the state having a population of not less than 20,500 nor more than 21,850 according to the last or any subsequent federal decennial census.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply to each county of the state having a population of not less than 20,500 nor more than 21,850 according to the last or any subsequent federal decennial census.

Section 2. Election officers who are appointed and serve under provisions of Chapter 1, Title 17, Code of Alabama 1940, as amended, shall receive additional compensation and allowances as follows: the returning officer and the inspectors and clerks shall each be entitled to an additional five dollars (\$5.00); the several claims shall be paid as preferred claims, out of moneys in the county treasury not otherwise appropriated, on proper proof of service rendered, and shall be paid from county funds only and for which there shall be no reimbursement.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Jones	Shelton
Caffey	Godfrey	Kendall	Turner
Clark	Golson	Laxson	Webb
Cooper	Graham	Moses	Wilson
Crawford	Green	Porter	Word
deGraffenried	Haltom	Robison	Wyatt
Dumas			

—24

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Jones	Shelton
Caffey	Godfrey	Kendall	Turner
Clark	Golson	Laxson	Webb
Cooper	Graham	Moses	Wilson
Crawford	Green	Porter	Word
deGraffenried	Haltom	Robison	Wyatt
Dumas			

—24

Nays:

—0

FURTHER CONSIDERATION OF HOUSE MESSAGE

S. B. 29

The Senate proceeded to further consideration of the House Message containing an amendment to the Bill, S. B. 29.

The question was on the substitute motion by Mr. Turner to non-concur in said amendment and request Committee on Conference.

Mr. Turner then moved that further consideration of S. B. 29 as amended by the House, be postponed until the next Legislative Day.

Mr. Haltom moved that further consideration of S. B. 29, as amended by the House, be postponed until the Seventeenth Legislative Day. On motion of Mr. Turner, the motion of Mr. Haltom to postpone further consideration until the Seventeenth Legislative Day was laid on the table.

Yeas 24; Nays 7.

Yeas:

Messrs.:	Eddins	Graham	Porter
Andrews	Farmer	Green	Shelton
Barnett	Gaither	Hines	Turner
Berryman	Givhan	Jones	Webb
Clark	Godfrey	Kendall	Wilson
Cooper	Golson	Moses	Wyatt
Crawford			

—24

Nays:

Messrs.:	Dumas	Laxson	Samford
Caffey	Haltom	Robison	Word

—7

The question recurred on the motion of Mr. Turner that further consideration of the Bill, S. B. 29, as amended by the House, be postponed until the next Legislative Day, and said motion was then adopted by the Senate.

MOTION TO ADJOURN LOST

At 5:56 P. M., Mr. Andrews moved that the Senate now adjourn until 1 o'clock P. M. tomorrow, Wednesday, July 11, 1962, which motion was lost.

Yeas 12; Nays 18.

Yeas:

Messrs.:	Caffey	Gaither	Laxson
Andrews	Crawford	Givhan	Wilson
Barnett	Eddins	Hines	Wyatt
Berryman			

—12

Nays:

Messrs.:	Godfrey	Jones	Shelton
Clark	Golson	Kendall	Turner
Cooper	Graham	Moses	Webb
Dumas	Green	Porter	Word
Farmer	Haltom	Samford	

—18

BILLS ON THIRD READING RESUMED

The Bill:

S. 56. Proposing to amend the Constitution of Alabama 1901 in relation to the distribution of profits derived by the state from the sale of alcoholic beverages.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 7.

Yeas:

Messrs.:	Eddins	Graham	Moses
Andrews	Farmer	Green	Porter
Berryman	Gaither	Hines	Turner
Clark	Givhan	Jones	Webb
Cooper	Godfrey	Kendall	Wilson
Crawford	Golson	Laxson	Wyatt
—23			

Nays:

Messrs.:	Dumas	Robison	Shelton
Caffey	Haltom	Samford	Word
—7			

The Bill:

S. 55. To create the office of deputy attorney general of Alabama.

was taken up.

Mr. Hines moved that further consideration of the Bill be postponed until the Nineteenth Legislative Day.

On motion of Mr. Turner, the motion to postpone was laid on the table.

Yeas 21; Nays 8.

Yeas:

Messrs.:	Eddins	Haltom	Robison
Andrews	Farmer	Kendall	Shelton
Barnett	Gaither	Laxson	Turner
Berryman	Givhan	Moses	Webb
Clark	Godfrey	Porter	Wyatt
Cooper	Golson		
—21			

Nays:

Messrs.:	Dumas	Green	Samford
Caffey	Graham	Hines	Word
Crawford			
—8			

And said Bill was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 7.

Yeas:

Messrs.:	Eddins	Graham	Robison
Andrews	Farmer	Haltom	Shelton
Barnett	Gaither	Kendall	Turner
Berryman	Givhan	Laxson	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Wyatt
—23			

Nays:

Messrs.:	Crawford	Green	Samford
Caffey	Dumas	Hines	Word

—7

The Bill:

S. 59. To amend further Code of Alabama 1940, Title 13, Section 112, so as to create the 34th judicial circuit.

was taken up.

Mr. Graham offered the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 59

Add at the end of Section 2 the following: At the next general election for circuit judges a judge for the Thitry-fourth Circuit shall be elected, and at the next general election for circuit solicitors a solicitor for such circuit shall be elected. No person who resides in the same county in which the incumbent judge of such circuit resides shall be eligible to hold the office of solicitor of such circuit. However, this provision shall not be construed to disqualify an incumbent circuit solicitor from serving for the remainder of the term for which he was elected or appointed should a judge residing in the same county with the solicitor be elected during the solicitor's term.

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Crawford	Graham	Moses
Barnett	Dumas	Green	Porter
Berryman	Eddins	Haltom	Turner
Caffey	Farmer	Hines	Webb
Clark	Givhan	Kendall	Wilson
Cooper	Golson	Laxson	Word

—23

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and lost.

Yeas 15; Nays 9.

Yeas:

Messrs.:	Farmer	Green	Porter
Clark	Givhan	Haltom	Samford
Cooper	Golson	Kendall	Turner
Eddins	Graham	Moses	Wilson

—15

Nays:

Messrs.:	Crawford	Laxson	Webb	
Barnett	Dumas	Shelton	Word	
Caffey	Jones			—9

MOTION TO ADJOURN LOST

At 6:27 P.M., Mr. Godfrey moved that the Senate do now adjourn until tomorrow, July 11, 1962, at 1:00 o'clock P.M., which motion was lost.

Yeas 9; Nays 14.

Yeas:

Messrs.:	Dumas	Hines	Webb	
Berryman	Farmer	Kendall	Word	
Crawford	Godfrey			—9

Nays:

Messrs.:	Cooper	Green	Moses	
Barnett	Eddins	Haltom	Samford	
Caffey	Golson	Jones	Turner	
Clark	Graham	Laxson		—14

BILLS ON THIRD READING RESUMED

The Bill:

S. 53. To amend Section 1 of Act No. 388, approved September 9, 1955, entitled "An Act To Fix the Compensation of Certain State Officers".

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 16; Nays 5.

Yeas:

Messrs.:	Crawford	Graham	Laxson	
Barnett	Eddins	Haltom	Moses	
Berryman	Givhan	Jones	Porter	
Clark	Golson	Kendall	Turner	
Cooper				—16

Nays:

Messrs.:	Dumas	Hines	Samford	
Caffey	Green			—5

The Bill:

S. 70. To create an interim legislative committee to investigate rates and charges of newspapers for legal and political advertisements to determine if regulatory legislation is needed or desirable; to provide for the

selection of such committee; to prescribe its powers, duties, and authority, and to appropriate funds for carrying out the provisions of this Act.

Was taken up.

Mr. Hines moved that further consideration of the Bill, S. B. 70, be indefinitely postponed.

On motion of Mr. Cooper, the motion to indefinitely postpone was laid on the table.

Yeas 14; Nays 4.

Yeas:

Messrs.:	Cooper	Graham	Laxson
Barnett	Eddins	Haltom	Moses
Caffey	Givhan	Jones	Turner
Clark	Godfrey	Kendall	

—14

Nays:

Messrs.:	Dumas	Hines	Samford
Crawford			

—4

On motion of Mr. Cooper, further consideration of the Bill, S. B. 70, was postponed until the next Legislative Day as Unfinished Business.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fourteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Fourteenth Legislative Day was approved by the Senate.

ADJOURNMENT

At 6:38 P.M., on motion of Mr. Turner, the Senate adjourned until tomorrow, Wednesday, July 11, 1962, at 1:00 o'clock P.M.

FIFTEENTH LEGISLATIVE DAY

WEDNESDAY, JULY 11, 1962

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by Dr. Robert Strong, Minister, Trinity Presbyterian Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dumas	Green	Robison
Andrews	Eddins	Haltom	Rutledge
Barnett	Farmer	Hines	Samford
Berryman	Gaither	Jones	Shelton
Caffey	Givhan	Kendall	Turner
Clark	Godfrey	Laxson	Webb
Cooper	Golson	Moses	Wilson
Crawford	Graham	Porter	Ward
deGraffenried			

—32

JOURNAL

On motion of Mr. Jones, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Gaither, leaves of absence were granted Messrs. Leonard and Wyatt for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Messrs. Rogers (Mobile), Perry, Hawkins, Rast, Sessions, Locke, Edwards, Morrow, Engel:

H. 130. To provide further for nominations by political parties of candidates for election to the legislature; confirming and continuing certain nominations made in the party primary elections or party meetings in 1962; authorizing, providing for and regulating special party primary elections and mass, beat, or other party meetings under certain conditions for the purpose of nominating certain of such candidates; and placing special duties on the secretary of state.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 130—to the Committee on Judiciary

REPORTS OF COMMITTEES

Mr. Jones, Chairman of the Standing Committee on Constitution, Constitutional Revision and Amendments, reported that said Committee, in Session, has acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Barnett and Golson:

S. 87. To provide for the calling of a convention to revise and amend the constitution of this state.

The above Bill was read a second time at length as required by the Constitution.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Webb (With Amendment):

S. 54. To appropriate from any funds in the State Treasury to the credit of the General Fund not otherwise appropriated, for the fiscal year ending September 30, 1962, the sum of \$175,000.00 for the purpose of constructing and equipping a recreational building at Gulf State Park and to further provide for such construction.

Mr. Rutledge, Vice-Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Eddins:

S. 85. To apply only in counties having populations of not less than 27,000 nor more than 29,000; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license has been paid; prohibiting the sale of fish so taken; prescribing penalties.

By Mr. Webb (With Notice and Proof):

S. 86. Relating to Escambia County; authorizing the County to pay the cost of publishing in two newspapers of general circulation in the county the notice required to be published by the tax assessor that the assessed

valuations of all property listed for taxation have been fixed and of the date the board of equalization will sit to consider protests, as provided by Title 51, Section 106 of the 1940 Code of Alabama as Recompiled in 1958; the notice required to be published by the tax assessor and tax collector of the date and time they will visit the various voting places in the county for the receiving of tax returns and collections of taxes as provided by Sections 38 and 189 of Title 51 of the 1940 Code of Alabama as Recompiled in 1958; and for the publishing of the schedule of assessments for automobiles in said county.

By Mr. Dumas (With Notice and Proof):

S. 88. For the relief of H. E. Bryant; providing that the board of managers of the City of Birmingham retirement and relief system, established by Act No. 929 of the regular session of the legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, Page 1579, et seq.), shall have six months from the effective date of this Act in which to take action on the application of H. E. Bryant for extraordinary disability allowance.

By Mr. Barnett (With Notice and Proof):

S. 89. To alter, rearrange and extend the boundaries and corporate limits of the City of Ozark, Dale County, Alabama, so as to annex certain territory to the city.

By Mr. Moses:

S. 90. Proposing an amendment to the Constitution of Alabama relative to levying property taxes for public school purposes in Franklin County.

The above Bill was read a second time at length, as required by the Constitution.

By Mr. Word:

S. 91. To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census, from making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of passing vehicles, unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use.

By Mr. Word:

S. 92. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for any county in this State which has a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal decennial census.

By Mr. Murphy:

H. 164. To amend Act No. 934, H. 1268 of the Regular Session of the Legislature of 1961 (Acts of 1961, p. 1506) which provides for a program of property tax equalization in any county of the state having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal decennial census, in order to prescribe the

term of service and the compensation therefor of members of the board of equalization in any such county.

By Messrs. Thomas and Lee:

H. 175. To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties.

By Mr. Speaks (With Notice and Proof):

H. 176. To provide further for the purging the lists of registered voters in Chilton County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the Board of Registrars, Judge of Probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

By Mr. Harris (With Notice and Proof):

H. 183. Relating to the municipality of Fort Payne in DeKalb County; to alter, rearrange and extend the boundaries of the City of Fort Payne.

By Mr. Self (With Notice and Proof):

H. 181. Relating to the municipality of Weston, in Marion County, Alabama: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Weston, Marion County, Alabama.

By Mr. Harris (With Notice and Proof):

H. 182. Relating to the municipality of Fort Payne in DeKalb County; to alter, rearrange and extend the boundaries of the City of Fort Payne.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 133. Providing that in any county having a population of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census, it shall be unlawful for any person to enter, or attempt to enter, any church of which he is not a member while religious services are in progress therein after having been requested not to enter or attempt to enter said church by any member, usher, minister or preacher of said church, or to fail to leave or vacate said church of which he is not a member after such service has begun therein when requested to do so by any member, usher or preacher or minister of said church, and to provide and prescribe punishment for violation of this Act.

Also:

H. 142. To validate in certain cases elections held in any county in this State, which has a population of less than fifty thousand according

to the last federal decennial census, for the purpose of authorizing a special tax for public hospital purposes under the Constitution.

Also:

H. 143. To validate in certain cases elections heretofore held in counties having populations of less than fifty thousand according to the last federal decennial census or in school districts in any of such counties for the purpose of authorizing a special tax for any school purpose, or for school purposes generally, under the Constitution.

Also:

H. 144. To validate in certain cases elections heretofore held in counties having populations of less than fifty thousand according to the last federal decennial census, or in school districts or municipalities in such counties for the purpose of authorizing any special tax under the Constitution.

Also:

H. 160. To amend Act No. 283, H. 561, approved August 23, 1955, which authorizes and provides for the establishment of a fund designated as the "Solicitor's Fund" for the Solicitor of the Sixth Judicial Circuit, which is drawn upon by the Circuit Solicitor of the Sixth Judicial Circuit, and provides that the Solicitor's fees taxed in all criminal proceedings in the Circuit Court of Tuscaloosa County be paid into such Fund for such purpose (1955 Acts, Volume 1, page 649).

Also:

H. 161. To amend the title to and Section 1 of Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956 (as heretofore amended), entitled, "An act relative to municipalities in this state having a population of not less than 23,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; provid-

ing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof," so as to make said Act applicable to municipalities having a population of not less than 8,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

Also:

H. 167. To amend Act No. 121 of the Special Session of the Legislature of Alabama of 1961, entitled "An Act To amend further Act No. 539, S. 253, approved July 23, 1931, providing for a board of education for Winston County (Local Acts of Alabama 1931, p. 257) so as to provide further for the manner of election of such board; to prescribe their term of office; and to provide for selection of a chairman of the board," approved September 15, 1961.

Also:

H. 168. To further provide for the election of a County Superintendent of Education of Winston County, Alabama, by the qualified voters thereof; to prescribe and fix the duties, qualifications, term of office, and compensation of such Superintendent, and to provide for the filling of vacancies in said office.

Also:

H. 169. To provide for additional meetings of boards of registrars in counties having populations of not less than 46,475 nor more than 48,000 inhabitants.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 59. To fix the number of senators and representatives in the legislature, divide the state into senatorial districts, and apportion the senators and representatives among the several districts and counties.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 31. Relative to commending The Honorable W. A. LeCroy, State Superintendent of Education.

Also:

H. J. R. 32. Relative to the Journals of the House and Senate of the Special Session of 1962.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 32. To confer upon the Alabama Public Service Commission exclusive authority and power to regulate the rates of and to supervise certain public utilities the operations of which are exempt, in whole or in part, from the provisions of the Alabama Motor Carrier Act of 1939, and which said utilities are engaged in business as common carriers of passengers for hire within counties having a population of 500,000 or more inhabitants according to the latest or any subsequent federal census.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of

a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

UNFINISHED BUSINESS

The Senate proceeded to consideration of the unfinished business of yesterday which was the Bill, S. B. 70.

And on motion of Mr. Eddins, further consideration of said Bill was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Oden:

H. J. R. 33. RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the bill, H. 146, proposing an amendment to the Constitution of Alabama relating to Franklin County, which has passed both Houses and has been delivered to the Secretary of State, be, and hereby is recalled for further consideration; and the Secretary of State is hereby requested to return the enrolled bill to the Clerk of the House, who shall hold the same on his desk to await the orders of the House.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Moses, the Rules were suspended and the Resolution, H. J. R. 33 set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILLS ON THIRD READING

The Bill:

H. 106. To amend the Title and Sections 1 and 2 of Act No. 839, H. 1516, of the 1961 Legislature, approved September 8, 1961, entitled "An Act to authorize and direct the county governing body of Mobile County to pay certain sums as supplementary pension payments to certain employees of the county entitled to retirement pay from sources to which the county has contributed."

Was taken up.

Mr. Caffey offered the following substitute for the Bill, to-wit:

Substitute for H. B. 106

A BILL
TO BE ENTITLED
AN ACT

To amend the Title and Sections 1 and 2 of Act No. 839, H. 1516, of the 1961 Legislature, approved September 8, 1961, entitled "An Act to authorize and direct the county governing body of Mobile County to pay certain sums as supplementary pension payments to certain employees of the county entitled to retirement pay from sources to which the county has contributed."

Be It Enacted by the Legislature of Alabama:

Section 1. The Title of Act No. 839, approved September 8, 1961, is amended to read as follows: "An Act to authorize and direct the county governing body of Mobile County to pay certain sums as pensions or supplementary pension payments to certain employees and former employees of Mobile County or any court or agency thereof."

Section 2. Section 1 of Act No. 839, approved September 8, 1961, is amended to read as follows:

Section 1. For the purpose of this Act the following shall apply:

(1) The term "employee" as used in this Act shall mean any person employed by the county or any court or other county agency for remuneration no matter how paid, and regardless of the status of his employment, whether under civil service, as a day laborer, or by appointment. The term "employee" shall be interpreted broadly by the county governing body in the application of this Act.

(2) A person who shall acquire the necessary years of employment as prescribed herein, but who shall leave such employment prior to attaining the age of fifty years, shall not be entitled to benefits under this Act unless the termination of employment shall be for reason of health of the employee or a member of his immediate family or military service of the employee, the determination of his eligibility or ineligibility for such benefits to be determined by the County Commission of Mobile County.

(3) No person shall be entitled to be paid any of the benefits under the provisions of this Act prior to attaining the age of sixty-two years, except as provided in Section 3 (4) hereof.

(4) Retirement under this Act shall mean final separation from employment by the county, or any court or agency thereof, and no benefits shall be paid to retired employees who become re-employed by the county on a part or full time basis, during such re-employment.

(5) The term "court" shall include the Circuit Court of the Thirteenth Judicial Circuit.

(6) The provisions of this Act shall apply to all former employees of Mobile County, or any court or agency thereof, regardless of the date of their retirement provided the age and years of employment requirements were fulfilled by the former employee.

(7) Retirement under this Act shall not require the retiree to discontinue all gainful employment in order to be eligible to receive the benefits provided herein; provided, however, that a retiree under this Act who is or becomes ineligible to draw Social Security payments, because of income derived from such employment, shall be entitled to benefits under this Act only in such amount as he would have been entitled to receive if he were actually drawing his full Social Security benefits; and further provided that such gainful employment is restricted by the provisions of Section 1 (5) hereof.

(8) Retirement eligibility, once established, is permanent and shall not be lost by an absence and subsequent re-employment except as provided in Section 1 (5) hereof.

(9) No payment of benefits provided for in this Act shall be retroactive beyond the date of application therefor. No application may be dated prior to the effective date of this Act.

(10) In computing the amount of retirement benefits payable hereunder by the County to any particular applicant who declined to be covered by a pension plan and/or Social Security when it was optional on his part and to which the County would have contributed had the applicant exercised his right to be covered thereby the County shall deduct from the monthly amount of the supplementary pension to be paid hereunder an amount or amounts equal to the monthly benefits the applicant would have received from such other pension and/or Social Security had he chosen to be covered by the offered pension plan and/or Social Security.

(11) In computing benefits payable under this Act, payments made to a spouse of a retiree under the Social Security laws, as a result of the employee's coverage thereunder, shall not be counted in the amount of pension payments received from a source or sources to which the County shall have contributed.

(12) In computing the benefits payable under the Act to an applicant who is also covered by the State Employees Retirement System, the computation shall be based on the maximum benefits available to said applicant under said State Employees Retirement System.

(13) Service in any branch of the military during time of war or national emergency by an employee shall be counted as though the employee were in the employment of the County during the entire period; provided, however, such military service must have interrupted said employee's service in the employment of the County; and provided further, that such military service shall not have been voluntarily extended by act on the part of said employee.

Section 3. Section 2 of Act No. 839, approved September 8, 1961, is amended as follows; After the period at the end of the last sentence add the following:

"Provided, however, that an applicant who meets the years of employment and age requirements, but on whose behalf no payments were made into a retirement fund or Social Security by the County due to the non-existence of the retirement fund or Social Security System at the time of employment of the applicant, or his ineligibility for participation at the time of establishment of the retirement fund or coverage of County employees under the Social Security System, shall be entitled to benefits under this Act, and the County shall make pension or supplementary pen-

sion payments to such person to provide the maximum applicable benefits allowable under Section 3 hereof."

Section 4. Amend said Act No. 839, approved September 8, 1961, by adding thereto a new Section immediately following Section 3, in words and figures as follows:

"Section 3-A—On or after the effective date of this Act any person who claims to be entitled to benefits under the terms of this Act shall make written application therefor to the County Commission of Mobile County in the manner and form prescribed by said Commission and such County Commission shall determine the eligibility of such applicant for benefits hereunder and the amounts of said benefits if any.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective October 1, 1962.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Hines	Rutledge
Caffey	Godfrey	Jones	Shelton
Clark	Golson	Laxson	Turner
Cooper	Graham	Moses	Webb
Crawford	Green	Porter	Wilson
deGraffenried	Haltom	Robison	Word
Dumas			—24

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Hines	Rutledge
Caffey	Godfrey	Jones	Shelton
Clark	Golson	Laxson	Turner
Cooper	Graham	Moses	Webb
Crawford	Green	Porter	Wilson
deGraffenried	Haltom	Robison	Word
Dumas			—24

Nays:

—0

The Bill:

H. 173. To provide that the laws governing the Countywide Civil Service System of Mobile County, Alabama shall apply to the position of

Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, in the office of the Clerk of the Circuit Court of Mobile County Alabama, and to provide for the person holding the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, to be placed on the employment roster of the Civil Service System of Mobile County and to be placed in the proper class and salary level.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Graham	Porter	Wilson
Crawford	Green	Robison	Word
deGraffenried			

—24

Nays:

—0

The Bill:

S. 82. Relating to the municipality of Haleyville, Winston County, Alabama: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Haleyville, Winston County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Shelton
Berryman	Givhan	Laxson	Turner
Caffey	Godfrey	Moses	Webb
Clark	Golson	Porter	Wilson
Cooper			

—24

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 106. To amend the Title and Sections 1 and 2 of Act No. 839, H. 1516, of the 1961 Legislature, approved September 8, 1961, entitled "An Act to authorize and direct the county governing body of Mobile County to pay certain sums as supplementary pension payments to certain employees of the county entitled to retirement pay from sources to which the county has contributed."

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 132. Providing that in any county having a population of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census, it shall be unlawful for any person to go upon or remain upon the lands, buildings or premises of another or any part, portion, or area thereof after having been forbidden to do so either orally or in writing by the owner, lessee, custodian, or other person in possession thereof, his agent or representative or after having been forbidden to do so by a written legible sign or signs posted on such lands, buildings or premises at a place or places where such sign or signs are visible, and to fix the punishments for a violation of this Act.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 134. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 100,000 nor more than 110,000 according to the last or any subsequent federal decennial census.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Joint Resolution:

H. J. R. 29. Relative to expressing sympathy on the death of D. Trotter Jones.

OAKLEY MELTON, JR.,
Clerk.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Laxson, further consideration of the Bill, S. B. 51, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 76. To authorize and direct the Alabama Education Authority to allocate and distribute certain funds to the county board of education of Coosa County for the purpose of erecting additional classrooms for negro schools, upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 19; Nays 2.

Yeas:

Messrs.:	Crawford	Godfrey	Laxson
Andrews	deGraffenried	Golson	Moses
Berryman	Eddins	Graham	Robison
Clark	Gaither	Green	Turner
Cooper	Givhan	Haltom	Word

—19

Nays:

Messrs.:	Caffey	Hines
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—2

The Bill:

H. 150. To create the office of deputy solicitor for all counties having two court houses at which any of the business of the circuit court or other court of record therein is regularly transacted from time to time and having a population of not less than 36,000 nor more than 75,000, according to the last or any subsequent federal decennial census; to fix the salary, provide for the appointment and removal, and define the powers and duties of such deputy solicitors; and to repeal all general and local laws in conflict herewith.

Was taken up.

Mr. Word offered the following amendment to the Bill, to-wit:

Amend H. B. 150 by striking the figures 36,000 wherever they appear in the bill and insert in lieu thereof the figures 46,600.

Also further amend the bill by striking the figures 75,000 wherever they appear in the bill and insert in lieu thereof 49,050.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Jones	Samford	
Caffey	Godfrey	Laxson	Shelton	
Clark	Golson	Moses	Turner	
Cooper	Graham	Porter	Webb	
Crawford	Green	Robison	Wilson	
deGraffenried	Haltom	Rutledge	Word	
Dumas				—24

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Jones	Samford	
Caffey	Godfrey	Laxson	Shelton	
Clark	Golson	Moses	Turner	
Cooper	Graham	Porter	Webb	
Crawford	Green	Robison	Wilson	
deGraffenried	Haltom	Rutledge	Word	
Dumas				—24

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 29. Relative to death of D. Trotter Jones.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

RESOLUTION

Mr. Hines offered the following Senate Joint Resolution, to-wit:

S. J. R. 12. BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING: That the Legislative Council is hereby requested to investigate and make a survey of the rates and charges of newspapers for legal and political advertisements, such investigation to include a comparison of such rates and charges with the rates and charges on other types of advertising, and to report its findings in this matter, along with its recommendations for regulatory legislation in this field if such is needed or desirable, to the Legislature at its regular session in 1963.

On motion of Mr. Hines, the Rules were suspended and the Resolution, S. J. R. 12, was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Martin:

H. J. R. 34. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that House Bill 137 which has passed both Houses shall be designated and known as the "Wilson-Martin" Bill.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Wilson, the Rules were suspended and the Resolution, H. J. R. 34 set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 159. To provide for the compensation and expense allowance of members of the county board of education in all counties having populations of not less than 46,600 nor more than 49,050 according to the 1960 or any subsequent federal decennial census; providing for further compensation for certain other services performed for the school system in any county to which this Act applies in addition to services and duties ordinarily and customarily rendered by board members in such counties; providing for reimbursements for reasonable expenses incurred in performance of such extraordinary services; providing for the time that such increase in compensation shall become effective; and providing penalties for violation of the terms of this Act.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Graham	Rutledge
Andrews	Farmer	Hines	Samford
Barnett	Gaither	Jones	Shelton
Berryman	Givhan	Kendall	Turner
Caffey	Godfrey	Laxson	Webb
Clark	Golson	Robison	Word
Cooper			

—24

Nays:

—0

The Bill:

S. 84. To appropriate the sum of \$20,000 to the State Fair Authority to aid in the construction of a livestock exhibit building.

Was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

Substitute for Senate Bill 84

A BILL
TO BE ENTITLED
AN ACT

To make a conditional appropriation to the State Fair Authority to aid in the construction of a livestock exhibit building.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated from the State General Fund the sum of \$12,000.00 for the fiscal year ending September 30, 1962, to the State Fair Authority to aid said Authority in the construction by it of a building to be used for exhibiting livestock.

Section 2. Provided, however, that the appropriation herein above made shall not be budgeted or allotted by the State Budget Officer until he is directed so to do by the Governor after the Governor has determined that such funds are available in the State General Fund.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Berryman	Crawford	Eddins
Andrews	Caffey	deGraffenried	Farmer
Barnett	Cooper	Dumas	Gaither

Givhan	Haltom	Laxson	Samford
Godfrey	Hines	Moses	Turner
Graham	Jones	Robison	Webb
Green	Kendall	Rutledge	Word

—27

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Moses
Andrews	Dumas	Green	Robison
Barnett	Eddins	Haltom	Rutledge
Berryman	Farmer	Hines	Samford
Caffey	Gaither	Jones	Turner
Clark	Givhan	Kendall	Webb
Cooper	Godfrey	Laxson	Word
Crawford			

—28

Nays:

—0

The Bill:

S. 74. To provide for the study of ways and means of solving problems of mental health and mental retardation, creating a legislative committee for that purpose.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 30; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Rutledge
Andrews	Dumas	Green	Samford
Barnett	Eddins	Haltom	Shelton
Berryman	Farmer	Hines	Turner
Caffey	Gaither	Jones	Webb
Clark	Givhan	Laxson	Wilson
Cooper	Godfrey	Moses	Word
Crawford	Golson	Robison	

—30

Nays:

—0

The Bill:

S. 83. To define a normal work week for certain state employees, and to prescribe the maximum number of hours to be worked each day.

was taken up.

Mr. Word offered the following amendment to the Bill, to-wit:

Amendment to S. 83

In Section 1, after the words "of public roads and bridges," insert "including convict guards engaged in guarding convicts employed in the construction, repair and maintenance of roads and bridges,"

Which was adopted.

Yeas 17; Nays 3.

Yeas:

Messrs.:	Godfrey	Laxson	Samford
Barnett	Graham	Moses	Turner
Berryman	Haltom	Robison	Webb
deGraffenried	Jones	Rutledge	Word
Gaither	Kendall		

—17

Nays:

Messrs.:	Cooper	Crawford	Eddins
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—3

On motion of Mr. Eddins, further consideration of the Bill, S. B. 83 as thus amended, was postponed until the next Legislative Day.

RECESS

At 2:17 P.M. on motion of Mr. Cooper, the Senate took a recess until 2:47 P.M. this afternoon.

The recess period having expired, the Senate was called to order by Lieutenant Governor Boutwell, President and Presiding Officer of the Senate.

ROLL CALL

Present:

Messrs.:	Dumas	Green	Robison
Andrews	Eddins	Haltom	Rutledge
Barnett	Farmer	Hines	Samford
Berryman	Gaither	Jones	Shelton
Caffey	Givhan	Kendall	Turner
Clark	Godfrey	Laxson	Webb
Cooper	Golson	Moses	Wilson
Crawford	Graham	Porter	Word
deGraffenried			

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 12. Relative to Legislative Council to investigate and make a survey of the rates and charges of newspapers for legal and political advertisements.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 72. To propose an amendment to the Constitution authorizing the issuance and sale of warrants payable from the proceeds of special school taxes in DeKalb County for the purpose of re-financing any deficit created by proration of school funds prior to June 1, 1962.

Also:

S. 73. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 70,000 nor more than 96,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

S. 71. To amend the title to and Section 1 of Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956 (as heretofore amended), entitled, "An act relative to municipalities in this state having a population of not less than 23,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties

and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof," so as to make said Act applicable to municipalities having a population of not less than 8,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 150. To create the office of deputy solicitor for all counties having two court houses at which any of the business of the circuit court or other court of record therein is regularly transacted from time to time and having a population of not less than 46,600 nor more than 49,050 according to the last or any subsequent federal decennial census; to fix the salary, provide for the appointment and removal, and define the powers and duties of such deputy solicitors; and to repeal all general and local laws in conflict herewith.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Faulk:

H. 191. To Fix the Salary of the Deputy Solicitor of Geneva County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL ENTITLED AN ACT

To fix the Salary of the Deputy Solicitor of Geneva County.

BE IT ENACTED By the Legislature of Alabama:

Section 1. That the Salary of the Deputy Solicitor for Geneva County Alabama, be and the same is hereby fixed at the sum of Twenty Four Hundred Dollars (\$2400.00) per year payable in monthly installments of Two Hundred Dollars (\$200.00) per month, payable out of the General Funds of Geneva County, Alabama.

Section 2. That all Laws and parts of Laws in conflict with the provisions of this Act are hereby repealed.

Section 3. That this Act shall go into effect immediately upon its passage and approval by the Governor or its otherwise becoming a law on the first Monday after the second Tuesday in January, 1963.

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said county in said state, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the time herein mentioned he was editor of The Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four consecutive weeks without cost to the State of Alabama. Said notice having appeared in the issue of said paper on June 14th, 21st, 28th, and July 5th, all in the year 1962.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this the 5th day of July, 1962.

JEAN BRANNON,
NOTARY PUBLIC.

Also:

By Mr. Faulk:

H. 190. Supplement to Act No. 538 H1009 approved September 16, 1939, (Local Acts of Alabama 1939, Page 329), as amended, which establishes the Inferior Court of Geneva County; to increase the compensation of the Judge and Stenographer of said Court.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
ENTITLED AN ACT

Supplement to Act No. 538 H1009 approved September 16, 1939, (Local Acts of Alabama 1939, Page 329), as amended, which establishes the Inferior Court of Geneva County; to increase the compensation of the Judge and Stenographer of said Court.

WHEREAS, there has, heretofore, by Act No. 457 of the Legislature of Alabama, 1959, approved November 13, 1959, been given to the Inferior Court of Geneva County limited equity jurisdiction which has greatly enlarged the volume of the business of said Court and greatly increased the work and responsibility of the Judge and Stenographer of said Court, whose compensation should be increased.

BE IT ENACTED By the Legislature of Alabama:

Section 1. The Judge of Inferior Court of Geneva County shall receive a salary of Six Thousand (\$6,000.00) Dollars per annum, payable

in equal monthly installments out of the General Funds of Geneva County, Alabama, upon the warrant of the Probate Judge of Geneva County, Alabama, which he is hereby authorized and directed to issue monthly, which warrant shall be a preferred claim against said General Funds.

Section 2: That the Stenographer appointed by the Judge of said Court shall receive a salary of Eighteen Hundred (\$1800.00) Dollars per annum, payable in equal monthly installments out of the General Funds of the County on the warrant of the Probate Judge upon certificate of the Judge of this Court.

Section 3: If any section, sentence, clause or phrase or part of this Act shall be declared invalid, such invalidity shall not effect the remainder of the Act but such parts not declared invalid shall remain in full force and effect.

Section 4: That all laws and parts of Laws in conflict with the provisions of this Act are hereby repealed.

Section 5: This Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law on the first Monday after the second Tuesday in January, 1963.

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said county in said state, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of The Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four consecutive weeks without cost to the State of Alabama. Said notice having appeared in the issue of said paper on June 14th, 21st, 28th, and July 5th, all in the year 1962.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this the 5th day of July, 1962.

JEAN BRANNON,
NOTARY PUBLIC.

Also:

By Mr. Cabiness:

H. 29. To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census, from making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of passing vehicles, unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use.

Also:

By Mr. Cabiness:

H. 28. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for any county in this State which has a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal decennial census.

Also:

By Messrs. Perry, Morrow, Sessions, Rast, Hawkins, Locke and Edwards:

H. 187. To amend Act No. 843 of the Regular Session of the Legislature of Alabama of 1961, approved September 8, 1961.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the present special session of the Legislature of Alabama, for introduction and passage of a Bill the substance of which, as distinguished from details, is and will be the substance, as distinguished from detail of the following:

A BILL TO BE ENTITLED AN ACT

TO AMEND ACT NO. 843 OF THE REGULAR SESSION OF
THE LEGISLATURE OF ALABAMA OF 1961, APPROVED SEP-
TEMBER 8, 1961.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 3 of Act No. 843 of the Regular Session of the Legislature of Alabama of 1961, approved September 8, 1961, is amended to read as follows:

Section 3. (a) "PRESENT EMPLOYEES": Any person who is an employee or officer of Jefferson County on the date of establishment of this General Retirement System shall, except as hereinafter provided, be eligible for membership and shall become a member as of such date unless within a period of thirty (30) days thereafter he files with the Board on a blank provided by the Personnel Director or by the Board for that purpose, an election not to become a member, such election to be irrevocable. (b) "Members of Existing Retirement System": All employees who have become members of a retirement system under said Act No. 551 of September 9, 1953, shall not be permitted to become members under the present act. (c) "Future Employees": Any person who becomes an officer or an employee after the retirement system under the present act is established shall not be required to become a member during the first two years he serves as an officer or an employee; and any person who becomes an officer or an employee after the establishment of the said system shall become a member thereof commencing the first calendar month subsequent to the second anniversary of his becoming an officer or an employee, unless some provision hereof declares that he is ineligible for membership in the said

system. Any person who has become an officer or an employee after the date of the establishment of said retirement system and prior to the effective date of this sentence may elect to become a member of the said system by filing with the Personnel Director an election to do so within thirty days from the effective date of this sentence on a form provided by the Personnel Director for that purpose; and any person who becomes an officer or employee after the effective date of this sentence may become a member of the said system by filing with the Personnel Director within thirty days after he becomes an officer or employee an election to become a member thereof on a form provided by the Personnel Director; provided, however, that no person whose employment is "temporary," as defined by any merit system in operation in the said County, shall be eligible for membership during the period of such temporary employment. Upon any such officer or employee making such election, he shall become a member of the said pension system commencing on the first day of the calendar month next following that month in which his election is filed with the Personnel Director; and the election shall be irrevocable. (d) "Report of County Officials": It shall be the duty of the county personnel board, the head of each agency of the county government employing persons who are members or are entitled to become members, to submit to the Board such statements as the Board shall require as to the name, title, compensation, duties, date of birth, and length of service of each such person employed by such agency.

Section 2. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 9, 16, 23, 30, 1962, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 2 day of July, 1962.

O. H. PUTMAN, JR.,
Notary Public.
Notary Public, Alabama State at Large.
My Commission Expires May 29, 1965.

Also:

By Messrs. Perry, Morrow, Sessions, Rast, Hawkins, Locke and Edwards:

H. 186. To further amend Act No. 551 of the Legislature of Alabama of 1953, approved September 9, 1953, Acts of Alabama of 1953, page 766, et seq., as heretofore amended.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the present special session of the Legislature of Alabama, for introduction and passage of a Bill the substance of which, as distinguished from details, is and will be the substance, as distinguished from detail of the following:

A BILL TO BE ENTITLED AN ACT

TO FURTHER AMEND ACT NO. 551 OF THE LEGISLATURE OF ALABAMA OF 1953, APPROVED SEPTEMBER 9, 1953, ACTS OF ALABAMA OF 1953, PAGE 766, ET SEQ., AS HERETOFORE AMENDED.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 551 of the Legislature of Alabama of 1953, approved September 9, 1953, Acts of Alabama of 1953, page 766, et seq., is hereby amended to read as follows:

Section 1. DEFINITIONS: In this Act words used in the masculine gender shall include the feminine and neuter gender and words used in the neuter gender shall include the masculine and feminine genders. The following words, terms and phrases, wherever used in this Act, shall have the meanings respectively ascribed to them in this Section unless the context plainly indicates a contrary meaning. (a) "Retirement System," or "The Retirement System," The Employees' Retirement System of Jefferson County. (b) "Board" or "The Board," the Pension Board provided for in this Act to administer the retirement system. (c) "County," Jefferson County. (d) "Employee," only those persons employed by Jefferson County at a monthly wage or salary payable at regular intervals who were members of the retirement system as provided under Act No. 810, 1951 General Acts, page no. 1411, approved September 11, 1951. (e) "Member," any person who is a member of the retirement system as provided in this act. (f) "Creditable Service," service as an employee during which time he shall have made contributions hereunder and same shall have been matched by the County and for which time he has not had a refund or contribution made by him; also additionally, service as an employee of the County prior to the time a retirement system became operative therein but not in excess of twenty years. Also additionally, service as an employee of a License Inspector prior to the time a retirement system became operative in the County not exceeding twenty years whether such service was under the State of Alabama or under the County. An employee who has been a member of this system and who has thereafter become or who shall hereafter become an officer of the County may elect to continue to be a member of the said retirement system in the manner and subject to the conditions hereinafter stated; and if he does so elect then in the computation of his creditable service there shall be included his service as an officer of the County during which time he shall have made contributions hereunder and the same shall have been matched by the County.

No employee who has withdrawn his contributions to the fund upon his ceasing to be an employee shall be eligible to continue to be a member

of the system as an officer of the County. Any person who as an employee has been a member of the system and who has not withdrawn his contribution to the fund and who has become an officer of the County, or who shall become an officer of the County, may elect to continue as a member of the system by filing an election in writing to do so on a form furnished by the Personnel Director for that purpose within the time hereinafter provided. A member granted the retirement benefit for his service as an employee may continue to be a member of the system as an officer provided he elects to do so within the time herein specified and prior to there being paid to him any retirement benefit from the fund. Any person who became an officer of the County prior to the effective date of this sentence shall have a period of ninety days from the effective date of this sentence in which to make the said election; and any person who becomes an officer subsequent to the effective date of this sentence shall have a period of thirty days from the date on which he becomes such officer to make the said election. In his said written election he shall state whether he elects to pay into the fund the contributions with interest thereon for any of the period during which he served as an officer prior to continuing as an officer to be a member of the said system, as provided for in Section 8 hereof, as amended; and if he elects to pay into the fund contributions, together with interest thereon, for any part of the said period he shall state for what part of the said period he elects to so pay. The members of the retirement system herein created and established shall be entitled to creditable service earned and accrued to such member under prior retirement systems such creditable service having previously been established by the Personnel Director of the Personnel Board of Jefferson County. Creditable service shall include also additionally, the time of any duly authorized Military Leave of Absence of any member for which time the County shall have paid into the fund an amount equal to twice the contributions which the employee would have made if he had not been absent on such leave and if his wage or salary had continued to be the same as he was earning at the time of the commencement of his leave. (g) "Final Average Monthly Compensation," the average of the monthly compensation paid by the County to the member during the member's last sixty months of creditable service, regardless of whether the member served during all of the said sixty months as an employee or as an officer or served part of said sixty months as an employee and part of said sixty months as an officer.

Section 2. Section 8 of Act No. 551 of the Legislature of Alabama of 1953, approved September 9, 1953, Acts of Alabama of 1953, page 766, et seq., as heretofore amended, is hereby further amended to read as follows:

Section 8. "METHOD OF FINANCING": (a) "Salary Deductions": Every member of the retirement system shall pay into the retirement fund five per cent (5%) of his monthly wage or salary paid to him by the County, but if such wage or salary exceeds Four Hundred Dollars (\$400.00) per month, then only five per cent (5%) of the first Four Hundred Dollars (\$400.00) thereof. The County governing body is hereby directed to cause such deductions to be made each payroll period; and the aggregate amount so deducted from the salaries covered by said payrolls shall be paid over to the Treasurer of the retirement system. All such payments for salary deductions shall be deposited in the retirement fund herein created. (b) "County Contributions": (1) Each payroll period an amount equivalent to that deducted from the employees' salaries shall be contributed by the County and shall be paid into the retirement fund by the County governing body out of the general fund of the County. All of the funds remaining of the contributions heretofore paid by the County and the employees to the retirement fund under said Act 810, 1951 General Acts, page 1411, approved September 11, 1951, are hereby required to be paid to the retire-

ment system created by this Act immediately after the effective date hereof. Such funds to be paid into the system created by this Act shall include all investments and earnings of the retirement system created by Act 810, 1951 General Acts, page 1411, approved September 11, 1951.

The County Commission of Jefferson County shall cause to be paid into the retirement fund created by this Act the sum of \$100,000.00 payable at the rate of \$12,500.00 per year, the first payment to be on the 15th day of November, 1953, and a like sum each year thereafter on the 15th day of November until the said \$100,000 is paid in full. (2) If any member, either before or after the effective date of this act, shall have left the service of the County for the purpose of entering the service of the Armed Forces of the United States, and shall have been granted a military leave of absence for such purpose under the laws, rules, and regulations governing the employees of the County, and shall not have been dishonorably discharged from such Armed Forces and shall have been reinstated to the service of the County within ninety days after his separation from such Armed Forces, then the County shall promptly pay into the fund an amount equal to twice the contribution which the employee would have made if he had not been absent on such leave and if his wages or salary had continued to be the same as he was earning at the time of the commencement of his leave, provided, however, that no part of such payment by the County shall be refundable to the employee under any provisions herein for the return of employee contributions.

(c) Any employee who elects under the provisions of Section 1 hereof to continue to be a member of the system after becoming an officer of the County shall pay into the fund in the same manner and at the same rate at which employees are required to pay into the fund under the provisions of this Section 8 commencing with the first calendar month subsequent to the date on which he elects as an officer to continue to be a member of the system; and if he elects to pay into the fund contributions with interest thereon for any period during which he served as an officer prior to his continuing as an officer to be a member, as provided for in Section 1 hereof, he shall pay into the fund within thirty days from the date he makes said election a sum which shall be equal to the aggregate contributions which he would have paid into the fund had he been a member thereof during the period for which he elects to make the said contributions, together with interest on the said contributions at the rate of six per cent (6%) per annum from the date on which the said contributions would have been paid had he been a member of the system during said period for which he elects to make the contributions; provided, however, that any officer may elect to pay the contributions together with interest thereon for any such period in installments, such election to be made and such installments to be paid in the manner hereinafter specified. The amount which any officer shall be required to pay into the fund in order to cover any period during which he served as an officer and was not a member of the system shall be known as "the deficiency." Any officer of the County who elects hereunder to continue as a member of the system as provided for in Section 1 hereof, shall have the right to elect to pay into the fund a deficiency to cover all or any part of the period during which he served as an officer of the County prior to his continuing as an officer to be a member of the said system. If an officer elects to pay into the fund a deficiency, he shall pay the deficiency into the fund in full within thirty days from his making the said election, unless he also elects on the form provided by the Personnel Director to make the deficiency payable from his salary in monthly installments; and if he elects to make the deficiency payable in installments, then at the end of each payroll period beginning in the first calendar month subsequent to his electing to make the said deficiency payable in installments there shall be deducted from his salary and paid into the fund an amount equal to

five per centum (5%) of the aggregate contributions to be paid by him in order to discharge the deficiency which shall include interest at the rate of six per centum (6%) per annum separately on each of the contributions he would have paid during the said period had he been a member of the system during that period which the deficiency covers, which interest shall run from the date on which he would have paid the contributions had he been a member of the system during the period covered by the deficiency to the date on which the contributions is paid into the fund. If any such deficiency together with interest thereof is not paid or discharged in one of the manners hereinabove provided, it shall be paid or discharged as provided for in Section 16 hereof. During each payroll period an amount equivalent to that paid into the fund by any officer including interest thereon shall be contributed by the County and shall be paid into the Retirement fund by the County governing body out of the general fund of such county. This subsection (c) shall be subject to all the conditions and limitations made applicable to employees by subsections (a) and (b) of this Section 8.

Section 3. This act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 9, 16, 23, 30, 1962, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 2 day of July, 1962.

O. H. PUTMAN, JR.,
Notary Public.

Notary Public, Alabama State at Large.
My Commission Expires May 29, 1965.

Also:

By Mr. Jones (Covington):

H. 189. To alter and rearrange the boundaries of the City of Opp, Covington County, so as to exclude certain territory incorporated into the city by Act No. 437, Regular Session 1957.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

STATE OF ALABAMA
COUNTY OF COVINGTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter and rearrange the boundaries of the City of Opp, Covington County, so as to exclude certain territory incorporated into the city by Act No. 437, Regular Session 1957.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries and corporate limits of the City of Opp, Covington County, are hereby altered and rearranged so that the SW $\frac{1}{4}$, of the SW $\frac{1}{4}$, of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 4, Township 3, North, Range 18 East and SW $\frac{1}{4}$ of SW $\frac{1}{4}$, NW $\frac{1}{4}$ of SW $\frac{1}{4}$; SE $\frac{1}{4}$ of SW $\frac{1}{4}$; NE $\frac{1}{4}$ of SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 3, Township 3, North, Range 18 East, incorporated by Act No. 437, Regular Session 1957, shall be excluded from the area embraced within the corporate limits of the city, and shall no longer form a part of the city.

Section 2. That part of Act No. 437, H. 998, Regular Session 1957 (Acts of Alabama 1957, vol. 1, p. 602) in conflict with this Act is hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COVINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Burgess, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was published of The Opp News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, June 21, June 28, and July 5, all in the year 1962.

ROBT. D. BURGESS.

Sworn to and subscribed before me July 6, 1962.

JAMES C. KELSOE,
Title Notary Public.

Also:

By Mr. Martin:

H. 185. To amend Act No. 368, H. 814, Regular Session 1953 (Acts 1953, Vol. I, p. 438) relating to an automobile expense allowance for the sheriff of Greene County; giving the Act retroactive effect.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF GREENE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 368, H. 814, Regular Session 1953 (Acts 1953, Vol. I, p. 438) relating to an automobile expense allowance for the sheriff of Greene County; giving the Act retroactive effect.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 368, H. 814, Regular Session 1953 (Acts 1953, Vol. I, p. 438), an act relating to an automobile expense allowance for the sheriff of Greene County, is hereby amended to read as follows:

"Section 1. The court of county commissioners, board of revenue, or other like governing body of Greene County, Alabama by whatever name known or called, is hereby authorized and directed to allow and pay to the sheriff of said county an amount not to exceed one hundred fifty dollars (\$150.00) per month for expenses incurred by said sheriff in operation, upkeep, repair and maintenance of his privately owned automobile used on official business of the county."

Section 2. This Act shall have retrospective as well as prospective operation and shall be given retroactive effect to November 12, 1957. All payments made from the county treasury under this Act as amended are hereby ratified, validated, and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. K. Martin, who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was publisher of the Greene Co. Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6-14, 6-21, 6-28, and 7-5, all in the year 1962.

R. K. MARTIN.

Sworn to and subscribed before me July 5, 1962.

GENEVA L. MATTISON,
Title Notary Public.

Also:

By Mr. Ferguson:

H. 180. For the relief of John T. Lancaster, authorizing and requiring the county governing body of Tuscaloosa County, Alabama, to make an appropriation from the county treasury to compensate the said John T. Lancaster for certain damages.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE
A BILL
TO BE ENTITLED
AN ACT

For the relief of John T. Lancaster, authorizing and requiring the county governing body of Tuscaloosa County, Alabama, to make an appropriation from the county treasury to compensate the said John T. Lancaster for certain damages.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Board of Revenue or other like governing body of Tuscaloosa County, Alabama, is hereby authorized and required to appropriate from the county treasury, the sum of five thousand and No.-100 (\$5,000.00) Dollars, for the relief of John T. Lancaster, and to compensate him for damages for an injury inflicted upon him on the 25th day of February, 1961, wherein there was a defect in a county road causing the said John T. Lancaster to sustain injuries to his person in an automobile wreck where same wreck made him disabled for life.

Section 2. The said governing body of Tuscaloosa County is hereby authorized to draw its voucher on the county treasury for said sum and to pay the same to the said John T. Lancaster.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, June 18, June 25, and July 2, all in the year 1962.

BUFORD BOONE.

Sworn to and subscribed before me July 2nd, 1962.

LILLA COLLINS,
Title Notary Public.

Also:

By Messrs. Camp and Nichols:

H. 178. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 65,000 nor more than 90,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

By Messrs. Locke, Morrow, Hawkins, Sessions and Perry

H. 177. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the present special session of the Legislature of Alabama, for introduction and passage of a Bill the substance of which, as distinguished from details, is and will be the substance, as distinguished from detail of the following:

LOCAL BILL WITH NOTICE AND PROOF

A BILL TO BE ENTITLED AN ACT

Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Kimberly in Jefferson County are hereby altered, rearranged, and extended to include within the corporate limits of the Town of Kimberly the following described territory situated in Jefferson County, Alabama, in addition to that already within the corporate limits, to-wit:

Part of the NE quarter of the SE quarter of Section 2, Township 15 South, Range 3 West, situated in Jefferson County, Alabama, more particularly described as follows:

Begin at the NE corner of said quarter-quarter section and run thence westerly along north line thereof for distance of 187.40 feet to a point on western line of the right-of-way of U. S. Highway 31 as same as presently laid out and constructed from point of beginning; thus continue westerly along the north line of quarter-quarter section for distance of 697.60 feet; thence turn angle of 90 degrees to left and run southwardly for a distance of 667.62 feet then turn angle of 90 degrees to left and run eastwardly for a distance of 631.81 feet to a point on the westerly line of aforementioned right-of-way of U. S. Highway 31; run thence northwardly along arc of curve which forms the westerly line of said right-of-way for a distance of 671.38 feet to point of beginning. Mineral and mining rights excepted.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

ADV.—June 9-16-23-30, 1962.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 9, 16, 23, 30, 1962, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 2 day of July, 1962.

O. H. PUTMAN, JR.,
Notary Public.
Notary Public, Alabama State at Large.
My Commission Expires May 29, 1965.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 191, 190, 29, 28, 187, 186, 189, 185, 180, 178 and 177—to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 132. Providing that in any county having a population of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census, it shall be unlawful for any person to go upon or remain upon the lands, buildings or premises of another or any part, portion, or area thereof after having been forbidden to do so either orally or in writing by the owner, lessee, custodian, or other person in possession thereof, his agent or representative or after having been forbidden to do so by a written legible sign or signs posted on such lands, buildings or premises at a place or places where such sign or signs are visible, and to fix the punishments for a violation of this Act.

Also:

H. 134. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 100,000 nor more than 110,000 according to the last or any subsequent federal decennial census.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Oden:

H. J. R. 36. RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the enrolled bill, H. 146, relative to Franklin County is returned to the House for further con-

sideration, the Speaker is requested to erase his signature therefrom, and the President of the Senate is also requested to erase his signature; further, the Senate is requested to reconsider the vote by which the bill was passed and the vote by which the bill was ordered to a third reading, and thereafter amend the bill so as to provide that the election on the proposed constitutional amendment shall be held on the same date as the next general election following final adjournment of this session of the Legislature.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Moses, the Rules were suspended and the Resolution, H. J. R. 36, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Cates:

H. J. R. 38. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ALABAMA LEGISLATURE, THE SENATE CONCURRING, That the Legislature notes with profound sorrow the death of Mr. Forbus E. Williams, an outstanding citizen, teacher, and business and civic leader of Shelby County, whose active interest and wise leadership in the field of conservation of Alabama's natural resources, especially her water and soil, have redounded to the benefit of the whole state, and particularly to the benefit of Shelby and the other counties which formerly comprised the North Central Soil Conservation District, where Mr. Williams served faithfully, ably and efficiently for many years.

BE IT FURTHER RESOLVED That sincere sympathy is hereby extended to Mr. Williams' widow and the other surviving members of his family.

The Clerk of the House of Representatives is hereby directed to transmit a duly certified copy of this resolution to Mrs. F. E. Williams, at Columbiana, Alabama and a copy thereof to Mrs. Ben Skelton, also at Columbiana.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Graham, the Rules were suspended and the Resolution, H. J. R. 38, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

FURTHER CONSIDERATION OF MESSAGE FROM THE HOUSE

The Senate proceeded to further consideration of the Bill:

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

as amended by the House, which said amendment is set out at length in the Journal of the Senate for the Fourteenth Legislative Day.

The question was on the substitute motion by Mr. Turner that the Senate non-concur in said House amendment to the Bill, S. B. 29, and request Committee on Conference, and said motion was adopted by the Senate.

Yeas 30; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison
Andrews	Dumas	Haltom	Samford
Barnett	Eddins	Hines	Shelton
Berryman	Farmer	Jones	Turner
Caffey	Givhan	Kendall	Webb
Clark	Godfrey	Laxson	Wilson
Cooper	Golson	Moses	Word
Crawford	Graham	Porter	

—30

Nays:

—0

The President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Shelton, Berryman and Webb.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Cates:

H. J. R. 37. Whereas, the legislature has noted with a keen sense of loss the recent passing of three esteemed educators—Dr. Thomas Hewell Napier, Dean of Alabama College at Montevallo for 31 years, Professor Lorraine Peter, a member of the faculty of Alabama College for 32 years, and professor Allie C. Anderson, a member of the Alabama College faculty for 28 years; and

Whereas, each of the above educators gave in full measure of the fruitful years of their lives to educating our youth, and represent splendid examples of that dedicated group of selfless individuals of exceptional character, ability, and high ideals who have pursued the high calling of teaching as a way of life and a labor of love; and

Whereas, each has made significant and lasting contributions to the professional advancement of education in Alabama and at the same time has given freely of his leadership and talents to religious, civic, and business affairs of the community; and

Whereas, each has left a rich heritage in the hearts and minds of countless thousands of youth whose lives have been enriched and ennobled by reason of the lives of these benefactors; and

Whereas, the example of devoted service and vast achievements of these great teachers has added dignity and prestige to the teaching profession and has contributed immeasurably to the advancement of education and the enrichment of the social, cultural, and economic lives of all our citizens; now therefore

Be It Resolved By The Legislature of Alabama, That we hereby express the sense of appreciation felt by all of our citizens for the lives and contributions of these teachers, and we do hereby pay tribute to their achievements, and salute their memory.

Be It Further Resolved, That a copy of this resolution be mailed by the Clerk of the House to each of the following:

Mrs. Mary B. Napier, Montevallo, Alabama

Mrs. Maggie Belle Anderson, Montevallo, Alabama

Dr. Robert C. Anderson, Auburn University, Auburn, Alabama

Mrs. Alma Hinson, Attalla, Alabama

Mrs. Scudder Peter, Mobile, Alabama

Mrs. Esther Hunter, Decatur, Alabama

Dr. Howard M. Phillips, Alabama College, Montevallo, Alabama

Mr. Ralph Sears, Alabama College, Montevallo, Alabama

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Graham, the Rules were suspended and the Resolution, H. J. R. 37, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fifteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Fifteenth Legislative Day was approved by the Senate.

ADJOURNMENT

At 3:35 P.M., on motion of Mr. Robison, the Senate adjourned until tomorrow, July 12, 1962, at 2:00 o'clock P.M.

SIXTEENTH LEGISLATIVE DAY

THURSDAY, JULY 12, 1962

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by the Reverend Julian L. McPhillips, Curate, Episcopal Church of the Ascension, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dumas	Green	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Laxson	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Word
Crawford	Graham	Robison	Wyatt

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JOURNAL

On motion of Mr. Wilson, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE •

On motion of Mr. Wyatt, leaves of absence were granted Messrs. Halton, Leonard, deGraffenried and Roberts for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Engel, Rogers (Mobile), and Murphy:

H. 198. To amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, vol. 1, p. 273), which relates to Mobile County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, vol. 1, p. 273), which relates to Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 216, H. 598, Regular Session 1957 (Acts 1957, vol. 1, p. 273), an act relating to bailiffs who serve in the General Sessions Court of Mobile County, is hereby amended to read as follows:

"Section 1. Each judge of the Court of General Sessions of Mobile County created by an act approved by an act approved March 23, 1956, is authorized and empowered to appoint, without regard to the county merit or civil service system, one bailiff for the court. Each bailiff appointed shall hold office at the will and pleasure of the judge who appoints him, and shall be paid an annual salary of not more than Forty-Nine Hundred dollars, to be fixed by the judge. The compensation of such bailiff shall be paid from the county treasury on the certificate of the appointing judge showing that the bailiff had performed the duties assigned to him."

D. E. Miller, Jr., being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register June 16, 23, 30, July 7, 1962.

D. E. MILLER, JR.

Sworn to and subscribed before me This 7th day of July, 1962.

JOHN A. BELL,
Notary Public.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 198—to the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Callahan:

H. 188. Relating to counties having populations of not less than 97,000 nor more than 117,000; providing further for regulation of persons engaged in the business of selling money orders and other like instruments.

Also:

By Messrs. Steagall and Faulk:

H. 193. Relating to the Office of the Circuit Solicitor of the Thirty-Third Judicial Circuit: Creating a fund for the use of certain state officers of said Circuit.

Also:

By Mr. Roberts:

H. 197. To fix the compensation of the coroner of Madison County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the compensation of the coroner of Madison County.

Be It Enacted by the Legislature of Alabama:

Section 1. The coroner of Madison County shall receive a monthly salary of one hundred twenty-five dollars (\$125), payable out of the general fund of the county on warrants drawn as prescribed by law.

Section 2. The compensation herein provided for the coroner of Madison County shall be in lieu of all fees, commissions, percentages and allowances prescribed by law for the performance of the duties of his office, and such fees, commissions, percentages or allowances shall be paid into the general fund of the county.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 12, June 19, June 26, and July 3, all in the year 1962.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 5, 1962.

OPAL H. DILWORTH,
Title Notary Public.

Also:

By Messrs. Harvey and Pruitt:

H. 199. To apply only in counties having populations of not less than 20,000 nor more than 21,000; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of cat-fish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken; prescribing penalties.

Also:

By Messrs. Sessions, Perry, Locke, Hawkins, Morrow, Rast and Edwards:

H. 195. For the relief of H. E. Bryant; providing that the Board of Managers of the City of Birmingham Retirement and Relief System, established by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, page 1579, et seq.) shall have six months from the effective date of this Act in which to take action on the application of H. E. Bryant for extraordinary disability allowance.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the present special session of the Legislature of Alabama, for introduction and passage of a

Bill the substance of which, as distinguished from details, is and will be the substance, as distinguished from detail of the following:

A BILL
TO BE ENTITLED
AN ACT

Notice is hereby given that at the Special Session of the Legislature of Alabama which convened at the State Capitol on June 12, 1962, there will be made to the Legislature application for the enactment of a special act for the relief of H. E. Bryant, which said special act will provide that the Board of Managers of the City of Birmingham Retirement and Relief System established by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951, (Acts of Alabama of 1951, page 1579, et seq.) shall have six months from the effective date of the said special act in which to take action on the application of the said Bryant for extraordinary disability allowance under said Act No. 929.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 16, 23, 30, July 7, 1962, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 9 day of July, 1962.

MARY LINTON,
Notary Public.

Also:

By Messrs. Gilchrist and Roberts:

H. 37. To provide for collection and enforcement by the state department of revenue of sales and use taxes levied or assessed by any city or town.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 188—to the Committee on Judiciary.

H. B. 193—to the Committee on Finance and Taxation.

H. B.'s 197, 199, 195 and 37—to the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the bill:

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

And the Speaker of the House has appointed as a Committee on the part of the House Messrs. Pruitt, Branyon and Long (Lauderdale).

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 29. Said report of said Committee on Conference being in words and figures as follows:

REPORT OF COMMITTEE OF CONFERENCE ON S. B. 29

The Committee of Conference on the bill, S. B. 29, met, considered the disagreement between the two houses, and recommend:

That the bill as amended by the House be further amended as follows:

Strike out Section 2 of the bill entirely and insert in lieu thereof a new Section 2 to read:

Section 2. An election upon the proposed amendment is ordered to be held on the date of the general election next succeeding the final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

That the bill as thus amended be passed.

Respectfully submitted,
A. C. SHELTON
DOUGLAS S. WEBB
ROBERT R. BERRYMAN
Conferees of the Senate

IRA D. PRUITT
JAMES A. BRANYON, II
CHARLES G. LONG
Conferees of the House

The vote being: Yeas 72; Nays 10. And said bill:

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

as amended by the report of the Committee on Conference was again read at length and passed by a vote of: Yeas 65; Nays 27.

And said bill, together with the Report of the Committee on Conference is herewith returned to the Senate.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Turner, the Senate concurred in and adopted the Report of the Committee on Conference on the bill, S. B. 29, the title of which and said Conference Report is set out in the foregoing Message from the House.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Laxson	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Word
Crawford	Graham	Robison	Wyatt

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Nays:

—0

And said Bill, S. B. 29, as thus amended by the Conference Report, was again read at length and passed.

Yeas 25; Nays 6.

Yeas:

Messrs.:	Eddins	Green	Rutledge
Andrews	Farmer	Hines	Turner
Barnett	Gaither	Jones	Webb
Berryman	Givhan	Kendall	Wilson
Clark	Godfrey	Moses	Word
Cooper	Golson	Porter	Wyatt
Crawford	Graham		

—25

Nays:

Messrs.:	Dumas	Robison	Shelton
Caffey	Laxson	Samford	

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolution, with the original Senate Bills and Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. 71. To amend the title to and Section 1 of Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956 (as heretofore amended), entitled, "An act relative to municipalities in this state having a population of not less than 23,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof," so as to make said Act applicable to municipalities having a population of not less than 8,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

Also:

S. 72. To propose an amendment to the Constitution authorizing the issuance and sale of warrants payable from the proceeds of special school taxes in DeKalb County for the purpose of refinancing any deficit created by proration of school funds prior to June 1, 1962.

Also:

S. 73. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 70,000 nor more than 96,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

S. J. R. 12. Requesting the Legislative Council to investigate and make a survey of rates and charges of newspapers for legal and political advertisements.

HUGH MOSES,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolution, your signature thereto is requested.

H. J. R. 34. Relative to naming House Bill 137.

Also:

H. 159. To provide for the compensation and expense allowance of members of the county board of education in all counties having populations of not less than 46,600 nor more than 49,050 according to the 1960 or any subsequent federal decennial census; providing for further compensation for certain other services performed for the school system in any county to which this Act applies in addition to services and duties ordinarily and customarily rendered by board members in such counties; providing for reimbursements for reasonable expenses incurred in performance of such extraordinary services; providing for the time that such increase in compensation shall become effective; and providing penalties for violation of the terms of this Act.

Also:

H. 173. To provide that the laws governing the County wide Civil Service System of Mobile County, Alabama shall apply to the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, in the office of the Clerk of the Circuit Court of Mobile County, Alabama, and to provide for the person holding the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, to be placed on the employment roster of the Civil Service System of Mobile County and to be placed in the proper class and salary level.

Also:

H. 106. To amend the Title and Sections 1 and 2 of Act No. 839, H. 1516, of the 1961 Legislature, approved September 8, 1961, entitled "An Act to authorize and direct the county governing body of Mobile County to

pay certain sums as supplementary pension payments to certain employees of the county entitled to retirement pay from sources to which the county has contributed."

Also:

H. 150. To create the office of deputy solicitor for all counties having two court houses at which any of the business of the circuit court or other court of record therein is regularly transacted from time to time and having a population of not less than 46,600 nor more than 49,050, according to the last or any subsequent federal decennial census; to fix the salary, provide for the appointment and removal, and define the powers and duties of such deputy solicitors; and to repeal all general and local laws in conflict herewith.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 37. Relative to the death of Dr. Thomas Hewell Napier, Professor Lorraine Peter and Professor Allie C. Anderson of Alabama College at Montevallo.

Also:

H. J. R. 38. Relative to the death of Mr. Forbus E. Williams of Shelby County.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 9. To amend Sections 1, 2, and 3 of Act No. 530, Acts of Alabama Regular Session 1949, Page 835, "Relating to public health; to regulate through licensure hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act", so as to include domiciliary institutions, homes for the aged, intermediate institutions, and related institutions.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dumas, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 9, the title of which is set out in the foregoing Message from the House.

AMENDMENT TO SENATE BILL NO. 9

Senate Bill No. 9 is hereby amended by striking out the word "herein" in the ninth line of Section 3 and inserting in lieu thereof the following:

"and established by the State Board of Health with the advice of the Advisory Committee as provided in Acts of 1949, p. 837, Sections 8 and 9 (Recompiled Code of 1958, Title 22, No. 204(49) and 204(50))"

Yeas 26; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Samford
Andrews	Farmer	Kendall	Shelton
Berryman	Gaither	Laxson	Turner
Caffey	Givhan	Moses	Webb
Clark	Godfrey	Porter	Wilson
Crawford	Graham	Robison	Word
Dumas	Green	Rutledge	

—26

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Ferguson:

H. 154. To make it unlawful for any person to go upon or remain upon the lands, buildings or premises of another or any part, portion or

area thereof after having been forbidden to do so either orally or in writing by the owner, lessee, custodian or other person in possession thereof, his agent or representative or after having been forbidden to do so by a written legible sign or signs posted on such lands, buildings or premises at a place or places where such sign or signs are visible, and to fix the punishments for a violation of this Act.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 154—to the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Nichols and Camp:

H. 184. To authorize and direct the Alabama Education Authority to allocate and distribute a part of the earnings or income from the investment of that part of the proceeds of bonds, issued by said Authority under Act No. 126, H. 15, Second Special Session 1959 (Acts 1959, p. 369), not currently needed for the purpose for which such bonds were issued, to the Alabama Institute for Deaf and Blind; and to provide for the use of such money for school building purposes upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959, Second Special Session, p. 369.

Also:

By Messrs. Engel and Rogers (Mobile):

H. 43. To amend Section 21 of Title 30, Code of Alabama 1940, providing for qualifications of persons on jury rolls.

Also:

By Messrs. Roberts, Gilchrist and Reynolds (Madison):

H. 36. To amend Act No. 652, H. 88, Regular Session 1961, entitled "An Act to exclude certain municipal privilege licenses from gross sales, or gross receipts, in the computation of State Sales Taxes (Act No. 100, H. 94, approved August 18, 1959, Acts 1959, vol. 1, p. 298)".

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 184 and 36—to the Committee on Finance and Taxation.

H. B. 43—to the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Bailey, Pierce, Goodwyn and Goldthwaite:

H. 51. Relating to taxation; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

Also:

By Messrs. Camp and Nichols:

H. 55. To provide that all human blood used or proposed to be used for blood transfusions shall be labeled according to the race of the donor; to provide that no human blood not labeled in accordance with the provisions of this Act shall be used for blood transfusions in this State; to provide that any person about to receive a blood transfusion or a parent or the next of kin of said person shall be informed of the race of the donor of the blood, if blood from a person of a different race is to be used; to provide that a doctor may proceed with a transfusion without compliance with the provisions of this Act if an emergency exists; to provide that emergency and disaster areas are exempt from the provisions of this Act if the emergency has been declared by the Governor, or a federal agency or other agency or authority having the authority to declare an emergency; to provide a penalty for the violation of the provisions of this Act; and for other purposes.

Also:

By Mr. Brannan:

H. 135. To appropriate from any funds in the State Treasury to the credit of the General Fund not otherwise appropriated, for the fiscal year ending September 30, 1962, the sum of \$175,000.00 for the purpose of constructing and equipping a recreational building at Gulf State Park and to further provide for such construction.

Also:

By Mr. Smith (Russell):

H. 139. To amend Code of Alabama 1940, Title 13, Section 33, which relates to supernumerary justices of the Supreme Court of Alabama.

Also:

By Messrs. Morrow, Perry, Sessions, Locke and Rast:

H. 87. To amend Section 41 of Title 50 of the Code of Alabama of 1940 so as to authorize an improvement authority organized under the provisions of Chapter 3 of Title 50 of said Code to issue refunding bonds and bonds for the combined purpose of refunding bonds theretofore issued and of paying the costs of constructing and acquiring any enterprise which it is permitted to own and operate or any improvement or addition thereto.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 51 and 135—to the Committee on Finance and Taxation.

H. B.'s 55, 139 and 87—to the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Reynolds (Chambers), Vickers, Johnson (Tallapoosa) and Hardy:

H. J. R. 41. Whereas, Miss Roberta Alison, a native of Alexander City, Alabama and freshman at the University of Alabama has recently achieved national acclaim by winning the Women's National Collegiate Tennis Championship in St. Louis, Missouri, and having previously won the Kentucky State Junior title on two occasions, is today acknowledged the ranking woman tennis player in the entire South.

Whereas, these sterling achievements reflect great credit upon Miss Alison, her mother and father, her coaches at the University, and upon the State of Alabama, and must inevitably inspire and stimulate many of our youth to greater effort and similar goals in tennis and other competitive sports, and thus promote and stimulate physical fitness of our youth, now therefore

Be It Resolved By The Legislature of Alabama, That we share the feeling of pride in Miss Alison's accomplishments with her host of friends in Alexander City and throughout the State and do hereby extend to her our hearty congratulations and best wishes for the best of luck in her competitions on the way to future national championships.

Be It Further Resolved, That a copy of this resolution be mailed by the Clerk of the House of Representatives to Miss Roberta Alison at Alexander City, Alabama.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Messrs. Kendall and Jones, the Rules were suspended and the Resolution, H. J. R. 41, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Locke, Hawkins, Thomas, Lee, Rogers (Mobile), Perry, Morrow, Edwards, Rast, Sessions, Albea and Nettles:

H. J. R. 35. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that there is hereby created a commission to be known as the Commission on Constitutional Government. The commission shall be composed of four members of the House of Representatives appointed by the Speaker thereof; four members of the Senate appointed by the President thereof; the Speaker of the House of Representatives, the President of the Senate, and the Governor, ex officio; and four citizens of the State appointed by the Governor. Members of the commission appointed by the Speaker of the House and President of the Senate shall serve during the term for which they were elected by the Legislature, and until their successors are appointed. Members of the commission appointed by the Governor shall hold office for terms concurrent with the term of the Governor, and until their successors are appointed. Any vacancy on the commission shall be filled for the unexpired term by appointment by the authority making the original appointment. The Governor shall serve as chairman of the commission, and shall designate some members of the commission to serve as vice-chairman. The vice-chairman shall preside in the absence of the chairman.

2. Members of the commission shall receive no compensation for their services, but they shall receive expenses incident to their service as members of the commission. The commission may employ such technical and other assistants as it deems necessary in carrying out its official duties. The commission may hold hearings at such times and places as it deems necessary.

3. The commission shall develop and promulgate information concerning the dual system of government, the federal and state, established under the Constitution of the United States and those of the several states. It may assemble and make available to interested persons facts concerning the relationship between the states and the United States, the powers reserved to the states respectively and the functions delegated to the central government, and the individual liberties preserved to citizens, together with the effect of integration, particularly of integration of schools and other public institutions in areas of heavy negro population on education. Further a study of the validity and propriety of "class actions" as such have been used and employed in Federal Courts to put into effect a wholesale injunction instead of the time honored limitations of treating a violation of the Fourteenth Amendment as giving rise to actions to and by named individuals, which becomes enactment of legislation. From time to time, the commission may publish such information as it deems appropriate to acquaint the general public, both in this State and elsewhere, with the nature of the relationship between the individual states and the United States and the freedoms reserved to the states and their individual citizens under the Constitution of the United States. Such publication may

be by book, pamphlet, advertisement, or otherwise, as the commission deems appropriate.

4. The commission may cooperate with groups of like aims and purposes created by other states or with similar private groups in focusing the attention of the public on the individual liberties preserved to the citizens of the several states and the powers reserved to the states by the constitutions of the several states and of the United States. The commission shall in appropriate manner encourage similar activities by interested sister states in order to proclaim and protect the fundamental rights and powers of each of the several states and of their individual citizens, and call to the attention of the Congress these basic fundamentals of our dual system of government with limited powers prescribed by the federal and state constitutions.

5. Upon request of the commission, all agencies of the State of Alabama shall assist the commission in the discharge of its duties.

6. All expenses of the commission shall be paid out of any funds appropriated to the Legislature, upon certificate of the chairman, not to exceed twenty-five thousand dollars (\$25,000).

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dumas, the Rules were suspended and the Resolution, H. J. R. 35, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Hanby, Engel, Rogers (Mobile), Murphy:

H. J. R. 42. Whereas, the Legislature of the State of Alabama is conscious of the extreme difficulty being experienced in the marketing and sale of crude oil produced in the Citronelle oil field; and,

Whereas, the Legislature considers that a dire emergency exists which is directly affecting the State of Alabama, the Town of Citronelle and the citizens of Alabama due to the inadequate market now being experienced for the sale of the crude oil so produced; and,

Whereas, the Legislature of this state has attempted, by the revision of the state oil and gas laws, commensurate with good conservation practices, to cooperate fully with the oil industry in promoting a favorable climate for the exploration, production, and sale of oil and gas produced and recovered in our state; and,

Whereas, there are thousands of citizens of Alabama who are owners of royalty interest in the Citronelle field and many more citizens who are indirectly interested in the successful operation and development of said field; and,

Whereas, the Legislature considers it a definite concern to the State of Alabama and its citizens worthy of note and consideration by this body, that such difficulty in marketing is being experienced in the sale of crude oil produced in the Citronelle field and is anxious and desires that such condition be remedied at the earliest possible date and that an adequate and satisfactory market for the oil produced be made available; and,

Whereas, the present total production of crude oil in our state amounts to only one-fifth of the total amount of refined oil products purchased and consumed by the citizens of our state which fact alone should justify purchase by the oil industry of the total crude oil produced in our state; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, that the oil industry is hereby called upon to take such action as necessary to create a satisfactory and healthy marketing program for the purchase, on a consistent plan, of the crude oil produced in the Citronelle field and to assure this body and the state and citizens thereof of its desire and intent to cooperate fully in such endeavor which shall be to the benefit of all.

Be It Further Resolved That a copy of this resolution be forwarded to all refineries whose products are marketed and sold in the State of Alabama.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Caffey, the Rules were suspended and the Resolution, H. J. R. 42, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

In accordance with provisions of House Joint Resolution 36, the Speaker and Presiding Officer of the House erased his signature to the bill:

H. 146. Proposing an amendment to the Constitution of Alabama relative to the rate of taxation on property in the City of Russellville for public school purposes.

And said bill, House Bill 146, is herewith sent to the Senate in accordance with the provisions of House Joint Resolution 36.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

In accordance with the provisions of House Joint Resolution 36, the President and Presiding Officer of the Senate erased his signature to the Bill, H. B. 146, the title of which is set out in the foregoing Message from the House.

And on motion of Mr. Moses, the Senate reconsidered the vote by which it passed the Bill.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Graham	Rutledge
Andrews	Farmer	Hines	Samford
Barnett	Gaither	Jones	Shelton
Berryman	Givhan	Kendall	Turner
Caffey	Godfrey	Laxson	Webb
Clark	Golson	Moses	Wilson
Cooper			

—24

Nays:

—0

And on motion of Mr. Moses, the Senate reconsidered the vote by which it ordered the Bill, H. B. 146, to its third reading.

Mr. Moses then offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. 146

Strike out Section 2 of the bill and insert in lieu thereof the following:

Section 2. An election upon the proposed amendment is ordered: to be held on the date of the general election next succeeding the final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Graham	Rutledge
Andrews	Farmer	Hines	Samford
Barnett	Gaither	Jones	Shelton
Berryman	Givhan	Kendall	Turner
Caffey	Godfrey	Laxson	Webb
Clark	Golson	Moses	Wilson
Cooper			

—24

Nays:

—0

And said Bill, as thus amended, was again read at length as required by the Constitution and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Graham	Rutledge
Andrews	Farmer	Hines	Samford
Barnett	Gaither	Jones	Shelton
Berryman	Givhan	Kendall	Turner
Caffey	Godfrey	Laxson	Webb
Clark	Golson	Moses	Wilson
Cooper			

—24

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Ferguson:

H. 155. Providing and to provide that it shall be unlawful for any person to enter, or attempt to enter, any church of which he is not a member while religious services are in progress therein after having been requested not to enter or attempt to enter said church by any member, usher or minister or preacher of said church, or to fail to leave or vacate said church of which he is not a member after such service has begun therein when requested to do so by any member of the official governing body, usher or preacher or minister of said church and to provide and prescribe punishments for violation of this Act and providing for repeal of conflicting laws and providing for the effective date of this Act.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 155—to the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Salter:

H. 125. To amend Sections 2 and 14, Act No. 913, H. 1319, Regular Session 1961 (Acts 1961, p. 1464) which Act authorizes the levy of special county privilege license and excise taxes for educational purposes when ap-

proved at a referendum election, in all counties having a population of 45,000 or less inhabitants.

Also:

By Messrs. Rogers (Mobile), Murphy and Engel:

H. 172. To amend Act No. 44, H. 53, of the Special Session of the Legislature of 1961 (Acts 1961, p. 1897), entitled "An Act to provide for a license tax on and the assessment and collection of ad valorem taxes on house trailers."

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 125 and 172—to the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 10. To appropriate to the State Department of Public Health for the fiscal year ending September 30th, 1963, the additional sum of seven thousand five hundred dollars (\$7,500) for administering expanded licensure responsibilities pursuant to Senate Bill 9.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Sessions, Perry, Morrow, Hawkins, Rast, Locke, and Edwards:

H. J. R. 44. Whereas, the recent illness of Hugh Sparrow, the respected dean of capitol pundits, has occasioned his temporary absence from these halls and his presence is keenly missed by his host of friends in both houses of this Legislature, now therefore BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That we extend to Hugh Sparrow our sincere best wishes and Godspeed for rapid and complete recovery to the end that we and the people of this State may again soon have the benefit of his keen observations and criticisms of this body politic.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Hugh Sparrow.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dumas, the Rules were suspended and the Resolution, H. J. R. 44, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 33. Relative to recalling House Bill 146 for further consideration.

Also:

H. J. R. 36. Relative to amending House Bill 146.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bassett and Sorrell:

H. J. R. 45. Whereas, on the afternoon of May 22, 1962 an armed man brazenly attempted to rob the Commercial Bank of Ozark, Alabama, and when foiled in his effort to obtain the bank's cash, in cold blood shot and killed the Vice President of the bank and a young teller in the bank before making his escape;

Whereas, all law enforcement officers, state, county and municipal in Ozark and the surrounding territory were alerted and quickly mobilized to track down this desperado;

Whereas, among the officers who joined the posse attempting to apprehend and arrest this dangerous criminal was the Assistant Chief of Police of the City of Troy, Alabama, Gene Hayden Youngblood;

Whereas, Officer Youngblood, spotted this heavily armed bandit as he was approaching a rural store, usually managed by a lady, and without

thought for his own safety he rushed into this store to protect this woman, and was there gunned to death by the robber; and

Whereas, Officer Youngblood went far beyond the usual call of duty of a municipal police officer in his heroic effort to protect this woman in a rural store, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That the Legislature of Alabama acclaims the heroic action of Officer Youngblood in risking and losing his own life in an effort to save this woman store-keeper, and memorializes the Carnegie Hero Fund Commission to consider Gene Hayden Youngblood for one of its awards for heroism.

Be It Further Resolved, That the Clerk of the House is hereby directed to transmit a copy of this resolution to the Carnegie Hero Fund Commission, 2307 Oliver Building, Philadelphia, Pennsylvania, and also a copy thereof to Mr. Youngblood's widow at Troy, Alabama.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Turner, the Rules were suspended and the Resolution, H. J. R. 45, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Barnett:

S. 93. To alter and rearrange the boundaries of the city of Ozark, Dale County, so as to exclude certain territory incorporated into the city by Act No. 379, Regular Session of 1959.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

To alter and rearrange the boundaries of the city of Ozark, Dale County, so as to exclude certain territory incorporated into the city by Act No. 379, Regular Session of 1959.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the city of Ozark, Dale County, are hereby altered and rearranged so that all that part of

the Southwest Quarter of the Northeast Quarter of Section 7, Township 5, Range 24, lying southwest of the Fort Rucker Road and between the Old Newton Road and the short cut-off road, beginning on the west side of the Fort Rucker Highway across the highway from Fullers Store and running South west to the Old Newton Road incorporated by Act No. 379, H. 910 of the Regular Session of the Legislature of 1959 (Acts 1959, p. 994), shall be excluded from the area embraced within the corporate limits of the city, and shall no longer form a part of the city.

Section 2. That part of Act No. 379, H. 910 of the Regular Session of the Legislature of 1959 (Acts 1959, Vol. 2, p. 994) in conflict with this Act is hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
DALE COUNTY

Before me the undersigned authority in and for said County and State, personally appeared John Q. Adams who being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for 4 consecutive weeks, said notice having appeared in the issue of said paper on 6-21, 6-28, 7-5, and 7-12, 1962.

JOHN Q. ADAMS,
Publisher.

Sworn to and subscribed before me on this the 12 day of July, 1962.

RUFUS BARNETT,
Notary Public

REPORTS OF COMMITTEES

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Rogers (Mobile) et al (with amendment):

H. 130. To provide further for nominations by political parties of candidates for election to the legislature; confirming and continuing certain nominations made in the party primary elections or party meetings in 1962; authorizing, providing for and regulating special party primary elections and mass, beat, or other party meetings under certain conditions for the purpose of nominating certain of such candidates; and placing special duties on the secretary of state.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cabiness:

H. 28. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for any county in this State which has a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal decennial census.

By Mr. Cabiness:

H. 29. To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census, from making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of passing vehicles, unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use.

By Mr. Locke et al (with notice and proof):

H. 177. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

By Mr. Martin (with notice and proof):

H. 185. To amend Act No. 368, H. 814, Regular Session 1953 (Acts 1953, Vol. I, p. 438) relating to an automobile expense allowance for the sheriff of Greene County; giving the Act retroactive effect.

By Mr. Perry et al (with notice and proof):

H. 186. To further amend Act No. 551 of the Legislature of Alabama of 1953, approved September 9, 1953, Acts of Alabama of 1953, page 766, et seq., as heretofore amended.

By Mr. Perry et al (with notice and proof):

H. 187. To amend Act No. 843 of the regular session of the Legislature of Alabama of 1961, approved September 8, 1961.

By Mr. Jones (Covington) (with notice and proof):

H. 189. To alter and rearrange the boundaries of the City of Opp, Covington County, so as to exclude certain territory incorporated into the city by Act No. 437, Regular Session 1957.

By Mr. Faulk (with notice and proof):

H. 190. Supplement to Act No. 538 H1009 approved September 16, 1939, (Local Acts of Alabama 1939, Page 329), as amended, which establishes the Inferior Court of Geneva County; to increase the compensation of the Judge and Stenographer of said Court.

By Mr. Faulk (with notice and proof):

H. 191. To fix the salary of the Deputy Solicitor of Geneva County.

BILLS ON THIRD READING

The Bill:

S. 86. Relating to Escambia County; authorizing the County to pay the cost of publishing in two newspapers of general circulation in the county the notice required to be published by the tax assessor that the assessed valuations of all property listed for taxation have been fixed and of the date the board of equalization will sit to consider protests, as provided by Title 51, Section 106 of the 1940 Code of Alabama as Recompiled in 1958; the notice required to be published by the tax assessor and tax collector of the date and time they will visit the various voting places in the county for the receiving of tax returns and collections of taxes as provided by Sections 38 and 189 of Title 51 of the 1940 Code of Alabama as Recompiled in 1958; and for the publishing of the schedule of assessments for automobiles in said county.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gaither	Jones	Shelton	
Berryman	Givhan	Laxson	Turner	
Caffey	Godfrey	Moses	Webb	
Clark	Golson	Porter	Wilson	
Cooper	Graham	Robison	Word	
Crawford	Green	Samford	Wyatt	
Dumas				—24

Nays: —0

The Bill:

S. 85. To apply only in counties having populations of not less than 27,000 nor more than 29,000; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken; prescribing penalties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Samford	
Andrews	Gaither	Kendall	Shelton	
Barnett	Golson	Moses	Webb	
Cooper	Graham	Porter	Wilson	
Crawford	Green	Robison	Word	
Dumas	Hines	Rutledge	Wyatt	
Eddins				—24

Nays: —0

The Bill:

H. 112. To authorize and provide for the establishment of a junior college to be located in any county having a population of not less than 65,000 nor more than 95,000 inhabitants; to create a board of trustees to govern such college; to authorize the board of trustees to select the location for such college, name it, appoint a president and certain other officers therefor, and prescribe rules and regulations to govern the college; to constitute the college a body corporate upon compliance with certain conditions; to authorize the board of trustees to accept gifts, donations, devises, and bequests; and to buy, hold, sell or otherwise dispose of real and personal property for and in the name of the college; to authorize the governing body of any such county and of each incorporated municipality in any such county to make appropriations of public funds in aid of the college; to authorize the board of education of any such county and the board of education of any incorporated municipality therein to use public school funds in aid of such college and to provide transportation and certain other facilities to students attending the college; to exempt from taxation the property of the college; and to exempt officers and employees of the college from certain civil duties and from certain municipal privilege licenses.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Samford
Andrews	Farmer	Jones	Shelton
Barnett	Gaither	Kendall	Turner
Berryman	Givhan	Laxson	Webb
Caffey	Godfrey	Robison	Word
Clark	Green	Rutledge	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

S. 90. Proposing an amendment to the Constitution of Alabama relative to levying property taxes for public school purposes in Franklin County.

was taken up.

Mr. Moses offered the following amendment to the Bill, to-wit:

Amendment to S. 90

Strike out Section 2 of the bill and insert in lieu thereof the following:

Section 2. An election upon the proposed amendment is ordered to be held on the date of the general election next succeeding the final adjournment of the current session of the Legislature. The election shall be

held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Graham	Rutledge	
Andrews	Farmer	Hines	Samford	
Barnett	Gaither	Jones	Shelton	
Berryman	Givhan	Kendall	Turner	
Caffey	Godfrey	Laxson	Webb	
Clark	Golson	Moses	Wilson	
Cooper				—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Graham	Rutledge	
Andrews	Farmer	Hines	Samford	
Barnett	Gaither	Jones	Shelton	
Berryman	Givhan	Kendall	Turner	
Caffey	Godfrey	Laxson	Webb	
Clark	Golson	Moses	Wilson	
Cooper				—24

Nays: —0

The Bill:

S. 89. To alter, rearrange and extend the boundaries and corporate limits of the City of Ozark, Dale County, Alabama, so as to annex certain territory to the city.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Samford	
Andrews	Farmer	Jones	Shelton	
Barnett	Gaither	Kendall	Webb	
Berryman	Givhan	Porter	Wilson	
Cooper	Graham	Robison	Word	
Crawford	Green	Rutledge	Wyatt	
Dumas				—24

Nays:

—0

The Bill:

S. 91. To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census, from making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of passing vehicles, unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Samford
Andrews	Farmer	Jones	Shelton
Barnett	Gaither	Kendall	Turner
Berryman	Givhan	Laxson	Webb
Caffey	Godfrey	Robison	Word
Clark	Colson	Rutledge	Wyatt
Dumas			

—24

Nays:

—0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Caffey, further consideration of the Bill, H. B. 164, was indefinitely postponed by the Senate.

On motion of Mr. Word, further consideration of the Bill, S. B. 1, was indefinitely postponed by the Senate.

On motion of Mr. Webb, further consideration of the Bill, S. B. 47, was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Turner:

H. 163. To amend the revenue law; defining further certain terms used in administering state sales and use tax statutes; repealing conflicting laws.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 163—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Messrs. Oden, Vickers, Pierce, Johnson (Tallapoosa), Ray:

H. 162. To authorize and direct the Alabama Education Authority to allocate and distribute equally among the several counties of the State the earnings or income from the investment of that part of the proceeds of its bonds not currently needed for the purpose for which such bonds were issued.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 162—to the Committee on Finance and Taxation

BILLS ON THIRD READING RESUMED

The Bill:

S. 92. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for any county in this State which has a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gaither	Kendall	Shelton
Berryman	Givhan	Laxson	Turner
Caffey	Godfrey	Moses	Webb
Clark	Golson	Porter	Wilson
Cooper	Graham	Robison	Word
Crawford	Green	Rutledge	Wyatt
Dumas			

Nays:

—0

The Bill:

H. 175. To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Samford
Andrews	Farmer	Jones	Turner
Barnett	Gaither	Moses	Webb
Berryman	Golson	Porter	Wilson
Clark	Graham	Robison	Word
Crawford	Green	Rutledge	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 176. To provide further for the purging the lists of registered voters in Chilton County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the Board of Registrars, Judge of Probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Graham	Rutledge
Andrews	Farmer	Hines	Samford
Barnett	Gaither	Jones	Shelton
Berryman	Givhan	Kendall	Turner
Caffey	Godfrey	Laxson	Webb
Clark	Golson	Moses	Wilson
Cooper			

—24

Nays:

—0

The Bill:

H. 183. Relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gaither	Kendall	Shelton
Berryman	Givhan	Laxson	Turner
Caffey	Godfrey	Moses	Webb
Clark	Golson	Porter	Wilson
Cooper	Graham	Robison	Word
Crawford	Green	Samford	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 181. Relating to the municipality of Weston, in Marion County, Alabama: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Weston, Marion County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Shelton
Berryman	Givhan	Laxson	Turner
Caffey	Godfrey	Moses	Webb
Clark	Green	Robison	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 182. Relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gaither	Kendall	Shelton
Berryman	Givhan	Laxson	Turner
Caffey	Godfrey	Moses	Webb
Clark	Golson	Porter	Wilson
Cooper	Graham	Robison	Word
Crawford	Green	Samford	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

S. 83. To define a normal work week for certain state employees, and to prescribe the maximum number of hours to be worked each day.

as amended by the amendment offered by Mr. Word, which said amendment is set out at length in the Journal of the Senate for the Fifteenth Legislative Day, was read a third time at length as amended.

On motion of Mr. Cooper, further consideration of the Bill, S. B. 83, ~~as amended~~, was postponed until the next Legislative Day.

Yeas 13; Nays 7.

Yeas:

Messrs.:	Eddins	Green	Samford
Caffey	Gaither	Hines	Webb
Cooper	Givhan	Laxson	Wilson
Crawford	Graham		

—13

Nays:

Messrs.:	Godfrey	Robison	Word
Clark	Porter	Turner	Wyatt

—7

The Bill:

S. 54. To appropriate from any funds in the State Treasury to the credit of the General Fund not otherwise appropriated, for the fiscal year ending September 30, 1962, the sum of \$175,000.00 for the purpose of constructing and equipping a recreational building at Gulf State Park and to further provide for such construction.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

AMENDMENT TO S. 54

Strike out Section 2 of the bill and insert in lieu thereof the following:

“Section 2. This Act shall take effect upon the termination by operation of law or otherwise of that portion of a concession contract entered into between the State of Alabama and Roy J. Grimmatt on March 22, 1957, granting the said Grimmatt certain rights and privileges with respect to the operation of a restaurant and casino at Gulf State Park.”

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Crawford	Hines	Samford
Barnett	Eddins	Kendall	Shelton
Berryman	Gaither	Laxson	Turner
Caffey	Godfrey	Porter	Webb
Clark	Graham	Robison	Word
Cooper	Green	Rutledge	Wyatt

—23

Nays:

—0

Mr. Webb offered the following amendment to the Bill, as amended, to-wit:

AMEND S. B. 54 AS AMENDED

In the caption, strike out the words and figures “for the fiscal year ending September 30, 1962,”

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Samford
Barnett	Farmer	Kendall	Shelton
Berryman	Gaither	Laxson	Turner
Caffey	Givhan	Moses	Webb
Clark	Godfrey	Porter	Wilson
Cooper	Graham	Robison	Word
Crawford	Green	Rutledge	Wyatt

—27

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nay 1.

Yeas:

Messrs.:	Farmer	Laxson	Shelton
Barnett	Gaither	Moses	Turner
Berryman	Givhan	Porter	Webb
Caffey	Godfrey	Robison	Wilson
Clark	Graham	Rutledge	Word
Cooper	Hines	Samford	Wyatt
Crawford	Kendall		

—25

Nay:

Mr. Eddins

—1

The Bill:

S. 88. For the relief of H. E. Bryant; providing that the board of managers of the City of Birmingham retirement and relief system, established by Act No. 929 of the regular session of the legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, Page 1579, et seq.), shall have six months from the effective date of this Act in which to take action on the application of H. E. Bryant for extraordinary disability allowance.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Shelton
Berryman	Golson	Moses	Wilson
Cooper	Graham	Porter	Word
Crawford	Green	Robison	Wyatt
Dumas			

—24

Nays:

—0

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Sixteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Sixteenth Legislative Day was approved by the Senate.

ADJOURNMENT

At 4:02 P. M., on motion of Mr. Robison, the Senate adjourned until tomorrow, Friday, July 13, 1962, at 2 o'clock P. M.

SEVENTEENTH LEGISLATIVE DAY

FRIDAY, JULY 13, 1962

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by Honorable C. M. Wilson from Marengo County, Demopolis, Alabama.

ROLL CALL

Present:

Messrs.:	deGraffenried	Graham	Robison
Andrews	Dumas	Green	Samford
Barnett	Eddins	Hines	Shelton
Berryman	Farmer	Jones	Turner
Caffey	Gaither	Kendall	Webb
Clark	Givhan	Laxson	Wilson
Cooper	Godfrey	Moses	Word
Crawford	Golson	Porter	Wyatt

—31

JOURNAL

On motion of Mr. Godfrey, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 9. To amend Sections 1, 2, and 3 of Act No. 539, Acts of Alabama Regular Session 1949, Page 835, "Relating to public health; to regulate

through licensure hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act", so as to include domiciliary institutions, homes for the aged, intermediate institutions, and related institutions.

Also:

S. 10. To appropriate to the State Department of Public Health for the fiscal year ending September 30th, 1963, the additional sum of seven thousand five hundred dollars (\$7,500) for administering expanded licensure responsibilities pursuant to Senate Bill 9.

Also:

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

HUGH MOSES,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORTS OF COMMITTEES

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Engel and Rogers (Mobile):

H. 43. To amend Section 21 of Title 30, Code of Alabama 1940, providing for qualifications of persons on jury rolls.

By Messrs. Camp and Nichols:

H. 55. To provide that all human blood used or proposed to be used for blood transfusions shall be labeled according to the race of the donor; to provide that no human blood not labeled in accordance with the provisions of this Act shall be used for blood transfusions in this State; to provide that any person about to receive a blood transfusion or a parent or the next of kin of said person shall be informed of the race of the donor of the blood, if blood from a person of a different race is to be used; to provide that a doctor may proceed with a transfusion without compliance with the provisions of this Act if an emergency exists; to provide that emergency and disaster areas are exempt from the provisions of this Act if the emergency has been declared by the Governor, or a federal agency or other agency or authority having the authority to declare an emergency; to provide a penalty for the violation of the provisions of this Act; and for other purposes.

By Mr. Morrow et al:

H. 87. To amend Section 41 of Title 50 of the Code of Alabama of 1940 so as to authorize an improvement authority organized under the provisions of Chapter 3 of Title 50 of said Code to issue refunding bonds and bonds for the combined purpose of refunding bonds theretofore issued and of paying the costs of constructing and acquiring any enterprise which it is permitted to own and operate or any improvement or addition thereto.

By Mr. Callahan:

H. 188. Relating to counties having populations of not less than 97,000 nor more than 117,000; providing further for regulation of persons engaged in the business of selling money orders and other like instruments.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Steagall and Faulk (with substitute):

H. 193. Relating to the Office of the Circuit Solicitor of the Thirty-Third Judicial Circuit: Creating a fund for the use of certain state officers of said Circuit.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Bailey et al:

H. 51. Relating to taxation; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Rogers (Mobile), Murphy and Engel (with substitute):

H. 172. To amend Act No. 44, H. 53, of the Special Session of the Legislature of 1961 (Acts 1961, p. 1897), entitled "An Act to provide for a license tax on and the assessment and collection of ad valorem taxes on house trailers."

By Mr. Brannan (with substitute):

H. 135. To appropriate from any funds in the State Treasury to the credit of the General Fund not otherwise appropriated, for the fiscal year ending September 30, 1962, the sum of \$175,000.00 for the purpose of constructing and equipping a recreational building at Gulf State Park and to further provide for such construction.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the fol-

lowing bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Roberts, Gilchrist and Reynolds (Madison):

H. 36. To amend Act No. 652, H. 88, Regular Session 1961, entitled "An Act to exclude certain municipal privilege licenses from gross sales, or gross receipts, in the computation of State Sales Taxes (Act No. 100, H. 94, approved August 18, 1959, Acts 1959, vol. 1, p. 298)".

By Messrs. Nichols and Camp:

H. 184. To authorize and direct the Alabama Education Authority to allocate and distribute a part of the earnings or income from the investment of that part of the proceeds of bonds, issued by said Authority under Act No. 126, H. 15, Second Special Session 1959 (Acts 1959, p. 369), not currently needed for the purpose for which such bonds were issued, to the Alabama Institute for Deaf and Blind; and to provide for the use of such money for school building purposes upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959, Second Special Session, p. 369.

By Mr. Turner:

H. 163. To amend the revenue law; defining further certain terms used in administering state sales and use tax statutes; repealing conflicting laws.

By Mr. Salter:

H. 125. To amend Sections 2 and 14, Act No. 913, H. 1319, Regular Session 1961 (Acts 1961, p. 1464) which Act authorizes the levy of special county privilege license and excise taxes for educational purposes when approved at a referendum election, in all counties having a population of 45,000 or less inhabitants.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute and it was read a second time and placed on the calendar, to-wit:

By Mr. Speaks (with substitute):

H. 136. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 25,500 nor more than 25,700 according to the last or any subsequent federal decennial census.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Gilchrist and Roberts:

H. 37. To provide for collection and enforcement by the state department of revenue of sales and use taxes levied or assessed by any city or town.

By Messrs. Camp and Nichols:

H. 178. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 65,000 nor more than 90,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

By Mr. Ferguson (with notice and proof):

H. 180. For the relief of John T. Lancaster, authorizing and requiring the county governing body of Tuscaloosa County, Alabama, to make an appropriation from the county treasury to compensate the said John T. Lancaster for certain damages.

By Mr. Roberts (with notice and proof):

H. 197. To fix the compensation of the coroner of Madison County.

By Mr. Sessions et al (with notice and proof):

H. 195. For the relief of H. E. Bryant; providing that the Board of Managers of the City of Birmingham Retirement and Relief System, established by Act No. 929 of the regular session of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, page 1579, et seq.) shall have six months from the effective date of this Act in which to take action on the application of H. E. Bryant for extraordinary disability allowance.

By Messrs. Engel, Rogers (Mobile) and Murphy (with notice and proof):

H. 198. To amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, vol. 1, p. 273), which relates to Mobile County.

By Messrs. Harvey and Pruitt:

H. 199. To apply only in counties having populations of not less than 20,000 nor more than 21,000; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken; prescribing penalties.

By Mr. Barnett (with notice and proof):

S. 93. To alter and rearrange the boundaries of the city of Ozark, Dale County, so as to exclude certain territory incorporated into the city by Act No. 379, Regular Session of 1959.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Callahan (with amendment):

H. 114. Providing and to provide for the taking of depositions in connection with any controversy, suit, case, cause or proceeding pending or to

be tried in any court of record in counties in Alabama having a population of not less than 100,000 people nor more than 115,000 people according to the 1960 or any subsequent Federal census of witnesses and parties for discovery or evidence in any controversy, suit, case, proceeding or cause at law or in equity contemplated or provided by Act 375 of Acts of Alabama of 1955, 1955 Acts of Alabama, Page 901, et sequitur, or any amendment thereof or thereto, or to which the provisions thereof are made applicable by other laws of Alabama, by Commissioners; fixing the power and authority of such Commissioners to take such depositions and conduct hearings therefor and to issue subpoenas and subpoenas duces tecum to witnesses and parties for the purpose of taking such depositions, providing for the compensation of such witnesses and parties and fixing the schedule of fees for such Commissioners for taking and certifying such depositions and providing for the taxing of such fees as cost.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 123. To fix additional compensation and allowance of certain election officers in every county of the state having a population of not less than 20,500 nor more than 21,850 according to the last or any subsequent federal decennial census.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Pruitt:

H. J. R. 48. Whereas, the Legislative Journals of the House and Senate for 1961 Regular and Special Sessions were larger than ever before and were created to a great extent all at once by the heavy closing days of the Regular Session and the five straight day Special Session, and

Whereas, it is necessary to print and bind the Journals in more than two volumes, now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the printer be and is hereby authorized and directed to print and bind the House and Senate Journals for the 1961 Regular and Special Sessions in as many volumes as necessary to afford a practical and usable size book in each volume.

Be it further resolved that the time allowed for the delivery of such printed Journals to the Secretary of State is hereby extended to August 17, 1962.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 48 set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 112. To authorize and provide for the establishment of a junior college to be located in any county having a population of not less than 65,000 nor more than 95,000 inhabitants; to create a board of trustees to govern such college; to authorize the board of trustees to select the location for such college, name it, appoint a president and certain other officers therefor, and prescribe rules and regulations to govern the college; to constitute the college a body corporate upon compliance with certain conditions; to authorize the board of trustees to accept gifts, donations, devises, and bequests; and to buy, hold, sell or otherwise dispose of real and personal property for and in the name of the college; to authorize the governing body of any such county and of each incorporated municipality in any such county to make appropriations of public funds in aid of the college; to authorize the board of education of any such county and the board of education of any incorporated municipality therein to use public school funds in aid of such college and to provide transportation and certain other facilities to students attending the college; to exempt from taxation the property of the college; and to exempt officers and employees of the college from certain civil duties and from certain municipal privilege licenses.

Also:

H. 175. To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties.

Also:

H. 176. To provide further for the purging the lists of registered voters in Chilton County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the Board of Registrars, Judge of Probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Also:

H. 181. Relating to the municipality of Weston, in Marion County, Alabama: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Weston, Marion County, Alabama.

Also:

H. 182. Relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Also:

H. 183. Relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 35. Relative to creating a commission to be known as the Commission on Constitutional Government.

Also:

H. J. R. 41. Relative to congratulating Miss Roberta Alison.

Also:

H. J. R. 42. Relative to the marketing and sale of crude oil produced in the Citronelle oil field.

Also:

H. J. R. 44. Relative to expressing good wishes for the recovery of Mr. Hugh Sparrow.

Also:

H. J. R. 45. Relative to requesting the Carnegie Hero Fund Commission to consider the late Gene Hayden Youngblood for one of its awards for heroism.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Perry and Rogers (Mobile):

H. J. R. 50. WHEREAS the selection of the United States' representative to defend the challenge for the America's Cup is now being conducted in the highest tradition of the sea and of American sport, and

WHEREAS the people of Alabama share with the people of New England and with all Americans the inheritance of these proud traditions,

NOW THEREFORE BE IT RESOLVED that a knowledgeable Alabama yachtsman be designated by the Governor of Alabama to be the official representative of the people of Alabama to attend and observe in their name the challenge races for the America's Cup,

BE IT FURTHER RESOLVED that such official representative be empowered and authorized to name a group of not more than five persons to accompany him, and that the names of these persons together with a copy of this resolution be sent to the Commodore of the New York Yacht Club by the Clerk of the House of Representatives of Alabama with a request that they be assisted in securing suitable accommodations and observation opportunities for the racing,

BE IT FURTHER RESOLVED that such group of persons be known as the Semmes Committee in honor of Admiral Raphael Semmes, CSN and that the Semmes Committee be and it hereby is requested to report to the Regular Session of the Legislature in 1963 on the feasibility of an expanded program of sailing yacht racing in Alabama waters.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 50, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Caffey, further consideration of the Bills, H. B. 108 and H. B. 165, was indefinitely postponed by the Senate.

On motion of Mr. Godfrey, further consideration of the Bill, S. B. 83, was indefinitely postponed by the Senate.

BILLS ON THIRD READING

The Bill:

S. 77. To provide for advance payment of dues by State-chartered member Credit Unions to the State Organization, Alabama Credit Union League, and the amortization over a period up to and including fifteen years of the credit extended to the member credit unions in the form of advance dues certificates issued by the Alabama Credit Union League.

Was read a third time at length and lost.

Yeas 14; Nays 10.

Yeas:

Messrs.:	Crawford	Golson	Shelton	
Barnett	Dumas	Moses	Word	
Berryman	Farmer	Porter	Wyatt	
Caffey	Godfrey	Robison		—14

Nays:

Messrs.:	Gaither	Hines	Turner	
Cooper	Givhan	Kendall	Wilson	
Eddins	Green	Samford		—10

The Bill:

S. 87. To provide for the calling of a convention to revise and amend the constitution of this state.

was taken up.

Mr. Barnett offered the following amendment to the Bill, to-wit:

Amendment to S. B. 87:

In section 1 where the words appear 18th Day of December be amended to read the 6th day of November.

That Section 3 where the figures 1950 appear be amended to read 1960.

Which was adopted.

Yeas 21; Nay 1.

Yeas:

Messrs.:	Barnett	Cooper	Eddins
Andrews	Berryman	Crawford	Gaither

Givhan	Green	Porter	Wilson	
Godfrey	Hines	Robison	Word	
Golson	Jones	Samford	Wyatt	
Graham	Kendall			—21

Nay:

Mr. Shelton

—1

And said Bill, as thus amended, was then read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 5.

Yeas:

Messrs.:	Crawford	Green	Turner	
Andrews	deGraffenried	Jones	Webb	
Barnett	Eddins	Kendall	Wilson	
Berryman	Gaither	Moses	Word	
Clark	Golson	Porter	Wyatt	
Cooper	Graham			—21

Nays:

Messrs.:	Hines	Samford	Shelton	
Dumas	Robison			—5

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Pruitt:

H. J. R. 49. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Secretary of the Senate, the Clerk of the House, the Secretary of State and the doorkeepers of the Senate and House be and they are hereby relieved of any responsibility for the Codes, Supplements, Acts, Journals and any other books furnished to the members of the Legislature, and

BE IT FURTHER RESOLVED that the Secretary of the Senate and the Clerk of the House be and they are hereby relieved of any responsibility for the legislative payrolls of this session of the Alabama Legislature and said payrolls as submitted and paid are hereby approved.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 49, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 75. To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties.

Also:

S. 79. Relating to Perry County; providing for the election of members of the court of county commissioners, board of revenue, or other like governing body of Perry County by districts.

Also:

S. 82. Relating to the municipality of Haleyville, Winston County, Alabama: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Haleyville, Winston County, Alabama.

Also:

S. 78. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 42. Relating to the office of solicitor of the Thirtieth Judicial Circuit; creating a solicitor's fund for the use of the circuit solicitor.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 74. To provide for the study of ways and means of solving problems

of mental health and mental retardation, creating a legislative committee for that purpose.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 76. To authorize and direct the Alabama Education Authority to allocate and distribute certain funds to the county board of education of Coosa County for the purpose of erecting additional classrooms for negro schools, upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959.

OAKLEY MELTON, JR.,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 151. To fix the compensation of the county solicitor of any county having a population of not less than 21,800 nor more than 21,950 according to the 1960 or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Green	Samford
Andrews	Farmer	Hines	Shelton
Barnett	Gaither	Jones	Turner
Berryman	Givhan	Kendall	Webb
Caffey	Godfrey	Laxson	Word
Clark	Golson	Robison	Wyatt
Cooper			

—24

Nays:

—0

The Bill:

H. 130. To provide further for nominations by political parties of candidates for election to the legislature; confirming and continuing certain nominations made in the party primary elections or party meetings in 1962; authorizing, providing for and regulating special party primary elections and mass, beat, or other party meetings under certain conditions for the purpose of nominating certain of such candidates; and placing special duties on the secretary of state.

Was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 130

House Bill 130 is hereby amended in the following respect:

In line 2 of Section 6, strike out the word "May".

Insert following Section 9 the following:

"Section 10. No newspaper, radio or television station shall charge any candidate in such primary any more than ordinary commercial rates."

Sections 10, 11 and 12 are renumbered, respectively, Sections 11, 12 and 13.

The words "Provided that no newspaper, radio or television station shall charge any candidate in such primary any more than ordinary commercial rates." at the end of the bill are hereby stricken.

Which was adopted.

Yeas 24; Nays 2.

Yeas:

Messrs.:	Eddins	Hines	Samford
Andrews	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Godfrey	Moses	Webb
Clark	Golson	Porter	Wilson
Cooper	Graham	Robison	Word
Dumas			

—24

Nays:

Messrs.:	Crawford	deGraffenried	—2
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Mr. Cooper moved that further consideration of the Bill, as amended, be postponed until the next Legislative Day. On motion of Mr. Dumas, the motion to postpone was laid on the table.

Yeas 17; Nays 10.

Yeas:

Messrs.:	Dumas	Hines	Shelton
Berryman	Eddins	Kendall	Turner
Caffey	Farmer	Robison	Wilson
Clark	Graham	Samford	Word
deGraffenried	Green		

—17

Nays:

Messrs.:	Cooper	Golson	Porter	
Andrews	Crawford	Jones	Wyatt	
Barnett	Givhan	Moses		—10

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 19; Nays 5.

Yeas:

Messrs.:	Dumas	Hines	Shelton	
Berryman	Eddins	Kendall	Turner	
Caffey	Farmer	Moses	Webb	
Clark	Graham	Robison	Wilson	
deGraffenried	Green	Samford	Word	—19

Nays:

Messrs.:	Crawford	Porter	Wyatt	
Cooper	Golson			—5

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Cates:

H. 201. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 31,500 nor more than 33,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 201—to the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Ramey and Shumate:

H. J. R. 52. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Legislature warmly commends Honorable Hamner Cobbs, editor and publisher of that fine newspaper, *The Greensboro Watchman*, for the splendid editorial he recently wrote concerning reapportionment, which the House has ordered reprinted in its journal.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Wilson, the Rules were suspended and the Resolution, H. J. R. 52, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTIONS

Mr. Robison offered the following Senate Joint Resolution, to-wit:

S. J. R. 13. WHEREAS, announcement was made at the 88th Imperial Council Session of the Ancient Arabic Order, Nobles of the Mystic Shrine held recently in Toronto, Canada, that the organization had decided to enlarge and expand the scope of its forty years of philanthropic experience with crippled children by the establishment of three hospitals for the treatment of children who have suffered injuries from burns, which said hospitals will be in addition to the seventeen institutions presently in operation by the Shrine in the United States, Canada and Mexico for the orthopedic treatment of crippled children; and,

WHEREAS, said hospitals will, in addition to furnishing free care and treatment for children of every race, creed and color who have been burned, provide the facilities for research to improve the treatment of burns and will establish training programs for medical personnel in this field; and,

WHEREAS, a committee has been appointed from the Board of Trustees of the Shrine Hospitals for Crippled Children to select the locations for the three new hospitals to be built for such purposes; and,

WHEREAS, Montgomery, Alabama, would be an ideal site and is pre-eminently suited and qualified by reason of geographical location and availability of medical personnel and presence of related facilities for the establishment of one of said hospitals;

NOW, THEREFORE, BE IT RESOLVED by the Senate, the House concurring, that the committee for the selection of the locations for said hospitals be, and it is hereby, cordially invited and urgently requested to visit Montgomery at their earliest convenience and to give careful and favorable consideration to Montgomery as a prospective site for one of said hospitals.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded immediately to the Chairman of said committee.

On motion of Mr. Robison, the Rules were suspended and the Resolution, S. J. R. 13, was adopted by the Senate.

Mr. Samford offered the following Senate Joint Resolution, to-wit:

S. J. R. 14. WHEREAS, 4-H clubs encourage, develop, and stimulate the finest interests and abilities of the young people of our state, and

WHEREAS, these interests and abilities are channeled into varied and diverse fields vital to our state and nation, and

WHEREAS, the 4-H club statewide talent contest was won by a contingent from Opelika, Alabama, the "Sugarettes," a girls trio composed of Miss Cherry Jackson, Miss Sherry Newsome, and Miss Carole Swindall, who were accompanied by the "Continental," an instrumental group composed of Charlie Ben Boyd, Winston Lett, Phillip Starr, Jimmy Sikes, and Robert Sherrer, and

WHEREAS, these girls and boys of whose beauty and talent the people of Alabama are justly proud, will represent the State of Alabama in further competition, therefore

BE IT RESOLVED THAT THE LEGISLATURE OF ALABAMA congratulates these fine young representatives of our state upon winning the state contest and wishes for them every success in their future endeavors.

On motion of Mr. Samford, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 38. Relating to inferior courts in counties having a population of not less than one hundred thousand nor more than one hundred fifteen thousand inhabitants; increasing the jurisdiction of such inferior courts of such counties from \$300 to \$500 in civil cases and providing additional compensation for the judge of such courts beginning with his next term of office in January, 1963.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. deGraffenried, the Senate non-concurred in the following House amendment to the Bill, S. B. 38, the title of which is set out in the foregoing Message from the House.

AMENDMENT TO S. B. 38

Delete Section 3 of S. B. 38.

And requested Committee on Conference.

The President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Hines, deGraffenried and Wilson.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Dumas, further consideration of the Bill, H. B. 187, was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 55. To create the office of deputy attorney general of Alabama.

OAKLEY MELTON, JR.,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 28. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for any county in this State which has a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Golson	Moses
Andrews	Eddins	Graham	Samford
Barnett	Farmer	Hines	Shelton
Berryman	Gaither	Jones	Turner
Caffey	Givhan	Kendall	Webb
Clark	Godfrey	Laxson	Word
Cooper			

—24

Nays:

—0

The Bill:

H. 29. To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census, from making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of passing vehicles, unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Shelton
Andrews	Eddins	Hines	Turner
Caffey	Givhan	Laxson	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Word
Crawford	Graham	Robison	Wyatt
deGraffenried			

—24

Nays:

—0

The Bill:

H. 177. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gaither	Kendall	Shelton
Caffey	Givhan	Laxson	Turner
Clark	Godfrey	Moses	Webb
Cooper	Golson	Porter	Wilson
Crawford	Graham	Robison	Word
deGraffenried	Green	Samford	Wyatt
Dumas			

—24

Nays:

—0

The Bill:

H. 185. To amend Act No. 368, H. 814, Regular Session 1953 (Acts 1953, Vol. I, p. 438) relating to an automobile expense allowance for the sheriff of Greene County; giving the Act retroactive effect.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Barnett	Cooper	deGraffenried
Andrews	Berryman	Crawford	Dumas

Eddins
Farmer
Gaither
Golson
Graham

Green
Hines
Jones
Kendall

Moses
Porter
Robison
Samford

Shelton
Wilson
Word
Wyatt

—24

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 48. Relative to the printing and binding of the House and Senate Journals for the 1961 Regular and Special Sessions of the Legislature.

Also:

H. J. R. 50. Relative to naming an Alabama representative to attend the challenge races for the America's Cup.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 123. To fix additional compensation and allowance of certain election officers in every county of the state having a population of not less than 20,500 nor more than 21,850 according to the last or any subsequent federal decennial census.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a

quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 186. To further amend Act No. 551 of the Legislature of Alabama of 1953, approved September 9, 1953, Acts of Alabama of 1953, page 766, et seq., as heretofore amended.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Samford
Andrews	Eddins	Hines	Shelton
Barnett	Farmer	Jones	Turner
Berryman	Gaither	Kendall	Webb
Caffey	Givhan	Laxson	Word
Clark	Godfrey	Robison	Wyatt
deGraffenried			

—24

Nays:

—0

The Bill:

H. 189. To alter and rearrange the boundaries of the City of Opp, Covington County, so as to exclude certain territory incorporated into the city by Act No. 437, Regular Session 1957.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Golson	Samford
Andrews	Eddins	Hines	Shelton
Barnett	Farmer	Jones	Turner
Berryman	Gaither	Kendall	Webb
Caffey	Givhan	Laxson	Wilson
Clark	Godfrey	Moses	Word
Cooper			

—24

Nays:

—0

The Bill:

H. 190. Supplement to Act No. 538 H1009 approved September 16, 1939, (Local Acts of Alabama 1939, Page 329), as amended, which establishes

the Inferior Court of Geneva County; to increase the compensation of the Judge and Stenographer of said Court.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison
Barnett	Dumas	Green	Turner
Berryman	Gaither	Kendall	Webb
Caffey	Givhan	Laxson	Wilson
Clark	Godfrey	Moses	Word
Cooper	Golson	Porter	Wyatt
Crawford			

—24

Nays:

—0

The Bill:

H. 191. To fix the salary of the Deputy Solicitor of Geneva County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison
Andrews	Dumas	Green	Samford
Barnett	Eddins	Hines	Webb
Caffey	Farmer	Jones	Wilson
Clark	Godfrey	Moses	Word
Cooper	Golson	Porter	Wyatt
Crawford			

—24

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the bill:

S. 38. Relating to inferior courts in counties having a population of not less than one hundred thousand nor more than one hundred fifteen thousand inhabitants; increasing the jurisdiction of such inferior courts of such counties from \$300 to \$500 in civil cases and providing additional compensation for the judge of such courts beginning with his next term of office in January, 1963.

And the Speaker of the House has appointed as a Committee on the part of the House Messrs. Callahan, Ferguson and Gilchrist.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 84. To make a conditional appropriation to the State Fair Authority to aid in the construction of a livestock exhibit building.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 130. To provide further for nominations by political parties of candidates for election to the legislature; confirming and continuing certain nominations made in the party primary elections or party meeting in 1962; authorizing, providing for and regulating special party primary elections and mass, beat, or other party meetings under certain conditions for the purpose of nominating certain of such candidates; and placing special duties on the secretary of state.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 53. To amend Section 1 of Act No. 388, approved September 9, 1955, entitled "An Act To Fix the Compensation of Certain State Officers".

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Senate non-concurred in the following House amendment to the Bill, S. B. 53, the title of which is set out in the foregoing Message from the House.

AMENDMENT TO S. B. 53

Strike out Section 2 of the bill and insert in lieu thereof the following:

Section 2. Code of Alabama 1940, Title 60, Section 7, as amended, is amended further to read as follows:

"The widow of any soldier or sailor in the service of the State of Alabama or the Confederate States of America such as is set forth in the preceding section, who was married to such soldier or sailor prior to January first, 1904, or was married to such soldier or sailor for at least one year prior to the time of his death, regardless of whether his death occurred before or after the effective date of this chapter; and who has not remarried except as provided in the following section, and who was not at the time of her husband's death separated from him by divorce or was not voluntarily living apart from her husband during the period of one year prior to his death and whose husband did not desert the service of the State of Alabama, or the Confederate States, and who is an actual bona fide resident of Alabama and has been such for a period of five years prior to the filing of said application shall be entitled to relief under the provisions of this chapter."

Also add a new section to the bill to read as follows:

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

And requested Committee on Conference.

The President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Cooper, Barryman and Hines.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 42. Relating to the office of solicitor of the Thirtieth Judicial Circuit; creating a solicitor's fund for the use of the circuit solicitor.

Also:

S. 74. To provide for the study of ways and means of solving problems of mental health and mental retardation, creating a legislative committee for that purpose.

Also:

S. 75. To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties.

Also:

S. 79. Relating to Perry County; providing for the election of members of the court of county commissioners, board of revenue, or other like governing body of Perry County by districts.

Also:

S. 82. Relating to the municipality of Haleyville, Winston County, Alabama: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Haleyville, Winston County, Alabama.

Also:

S. 76. To authorize and direct the Alabama Education Authority to allocate and distribute certain funds to the county board of education of Coosa County for the purpose of erecting additional classrooms for negro schools, upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959.

HUGH MOSES,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 13. Relative to selection of site for expanding Shrine Hospitals for Crippled Children.

Also:

S. J. R. 14. Relative to congratulating winners in 4-H Club talent contest.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has requested the Senate to return the bill:

S. 78. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

to the House for further consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dumas, the Senate acceded to the request of the House for the return thereto of the Bill, S. B. 78, the title of which is set out in the foregoing Message from the House.

APPOINTMENT OF SPECIAL COMMITTEE

In accordance with the provisions of House Joint Resolution 35 heretofore adopted, the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Robison, deGraffenried, Kendall and Givhan.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Pruitt:

H. J. R. 53. Be It Resolved By The House of Representatives, the Senate Concurring, that when the two Houses adjourn today, they adjourn to meet again at 9:00 o'clock A.M. Saturday July 14, and that when they adjourn Saturday they adjourn sine die.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 53, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate bills and Senate Joint Resolutions delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

- S. J. R. 1. Delivered to the Governor, June 19, 1962, at 2:35 P.M.
- S. B. 15. Delivered to the Governor, June 22, 1962, at 11:15 A.M.
- S. B. 16. Delivered to the Governor, June 22, 1962, at 11:15 A.M.
- S. B. 17. Delivered to the Governor, June 22, 1962, at 11:15 A.M.
- S. B. 18. Delivered to the Governor, June 22, 1962, at 11:15 A.M.

- S. B. 21. Delivered to the Governor, June 22, 1962, at 11:15 A.M.
S. B. 22. Delivered to the Governor, June 22, 1962, at 11:15 A.M.
S. B. 23. Delivered to the Governor, June 22, 1962, at 11:15 A.M.
S. B. 25. Delivered to the Governor, June 22, 1962, at 11:15 A.M.
S. J. R. 4. Delivered to the Governor, June 22, 1962, at 11:15 A.M.
S. B. 31. Delivered to the Governor, June 28, 1962, at 2:05 P.M.
S. B. 32. Delivered to the Governor, June 28, 1962, at 2:05 P.M.
S. B. 36. Delivered to the Governor, June 28, 1962, at 2:05 P.M.
S. J. R. 5. Delivered to the Governor, June 28, 1962, at 2:05 P.M.
S. B. 37. Delivered to the Governor, June 29, 1962, at 10:20 A.M.
S. J. R. 7. Delivered to the Governor, July 6, 1962, at 10:15 A.M.
S. J. R. 8. Delivered to the Governor, July 6, 1962, at 10:15 A.M.
S. B. 48. Delivered to the Governor, July 6, 1962, at 5:10 P.M.
S. B. 60. Delivered to the Governor, July 6, 1962, at 5:10 P.M.
S. B. 62. Delivered to the Governor, July 6, 1962, at 5:10 P.M.
S. J. R. 9. Delivered to the Governor, July 6, 1962, at 5:10 P.M.
S. J. R. 10. Delivered to the Governor, July 11, 1962, at 1:50 P.M.
S. J. R. 11. Delivered to the Governor, July 11, 1962, at 1:50 P.M.
S. B. 64. Delivered to the Governor, July 11, 1962, at 1:50 P.M.
S. B. 67. Delivered to the Governor, July 11, 1962, at 1:50 P.M.
S. B. 68. Delivered to the Governor, July 11, 1962, at 1:50 P.M.
S. B. 69. Delivered to the Governor, July 11, 1962, at 1:50 P.M.
S. J. R. 12. Delivered to the Governor, July 12, 1962, at 2:40 P.M.
S. B. 73. Delivered to the Governor, July 12, 1962, at 2:40 P.M.
S. B. 71. Delivered to the Governor, July 12, 1962, at 2:40 P.M.
S. B. 72. Delivered to the Secretary of State, July 12, 1962, at 2:43 P.M.
S. B. 9. Delivered to the Governor, July 13, 1962, at 2:20 P.M.
S. B. 10. Delivered to the Governor, July 13, 1962, at 2:20 P.M.
S. B. 29. Delivered to the Secretary of State, July 13, 1962, at 2:20 P.M.

J. E. SPEIGHT,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Seventeenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Seventeenth Legislative Day was approved by the Senate.

ADJOURNMENT

At 4:08 P.M., on motion of Mr. Robison, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned to meet again Saturday, July 14, 1962, at 9 o'clock A.M.

EIGHTEENTH LEGISLATIVE DAY

SATURDAY, JULY 14, 1962

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by Honorable Robert R. Berryman, Senator from the Second Senatorial District.

ROLL CALL

Present:

Messrs.:	deGraffenried	Graham	Rutledge
Andrews	Dumas	Green	Samford
Barnett	Eddins	Hines	Shelton
Berryman	Farmer	Jones	Turner
Caffey	Gaither	Kendall	Webb
Clark	Givhan	Moses	Wilson
Cooper	Godfrey	Porter	Word
Crawford	Golson	Robison	

JOURNAL

On motion of Mr. Wilson, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Gaither, leaves of absence were granted Messrs. Haltom, Laxson, Leonard, Roberts and Wyatt for today.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in Session, has compared the following enrolled Senate Bills and Senate Joint Resolutions, with the original Senate Bills and Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. 55. To create the office of deputy attorney general of Alabama.

Also:

S. 84. To make a conditional appropriation to the State Fair Authority to aid in the construction of a livestock exhibit building.

Also:

S. J. R. 13. Inviting the committee from the Board of Trustees of the Shrine Hospitals to give consideration to Montgomery as a prospective site for a hospital.

Also:

S. J. R. 14. Congratulating the "Sugarettes", from Opelika, for winning the statewide 4-H Club Contest.

HUGH MOSES,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 28. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for any county in this State which has a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal decennial census.

Also:

H. 29. To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census, from making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of passing vehicles, unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use.

Also:

H. 130. To provide further for nominations by political parties of candidates for election to the legislature; confirming and continuing certain nominations made in the party primary elections or party meetings in 1962; authorizing, providing for and regulating special party primary elections and mass, beat, or other party meetings under certain conditions for the purpose of nominating certain of such candidates; and placing special duties on the secretary of state.

Also:

H. 177. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

Also:

H. 185. To amend Act No. 368, H. 814, Regular Session 1953 (Acts 1953, Vol. I, p. 438) relating to an automobile expense allowance for the sheriff of Greene County; giving the Act retroactive effect.

Also:

H. 186. To further amend Act No. 551 of the Legislature of Alabama of 1953, approved September 9, 1953, Acts of Alabama of 1953, page 766, et seq., as heretofore amended.

Also:

H. 189. To alter and rearrange the boundaries of the City of Opp, Covington County, so as to exclude certain territory incorporated into the city by Act No. 437, Regular Session 1957.

Also:

H. 190. Supplement to Act No. 538 H1009 approved September 16, 1939, (Local Acts of Alabama 1939, Page 329), as amended, which estab-

lishes the Inferior Court of Geneva County; to increase the compensation of the Judge and Stenographer of said Court.

Also:

H. 191. To Fix the Salary of the Deputy Solicitor of Geneva County.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, and House Joint Resolutions, your signature thereto is requested.

H. J. R. 49. Relative to responsibility for Codes, Supplements, Acts, Journals and other books furnished to the members of the Legislature; also responsibility for legislative payrolls.

Also:

H. 151. To fix the compensation of the county solicitor of any county having a population of not less than 21,800 nor more than 21,950 according to the 1960 or any subsequent federal decennial census.

Also:

H. J. R. 52. Relative to commending The Honorable Hamner Cobbs, Editor and Publisher of THE GREENSBORO WATCHMAN.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILL AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

In accordance with the provisions of House Joint Resolution 35 hereto-

fore adopted, the Speaker of the House has appointed as Committee on part of the House Messrs. Locke, Hawkins, Thomas and Pruitt.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the bill:

S. 53. To amend Section 1 of Act No. 388, approved September 9, 1955, entitled "An Act To Fix the Compensation of Certain State Officers."

And the Speaker of the House has appointed as a Committee on the part of the House Messrs. Thomas, Dodd and Smith (Russell).

OAKLEY MELTON, JR.,
Clerk.

REPORT OF COMMITTEE OF CONFERENCE ON SB 53

The committee of conference appointed to reconcile the disagreement between the two houses on SB 53 have met, considered the matter, and have agreed to recommend:

1. That the House recede from its amendment to the bill.
2. We further recommend that the Bill be re-passed by the Senate and House.

W. C. HINES
ROLAND COOPER
ROBERT R. BERRYMAN
Conferees of the Senate

SIM A. THOMAS
JOSEPH W. SMITH
BRUCE DODD
Conferees of the House

CONFERENCE REPORT

On motion of Mr. Cooper, the Senate concurred in and adopted the foregoing Report of the Committee on Conference on the disagreement of the two Houses on the Bill:

S. 53. To amend Section 1 of Act No. 388, approved September 9, 1955, entitled "An Act To Fix the Compensation of Certain State Officers".

Yeas 24; Nays 2.

Yeas:

Messrs.:
Barnett

Berryman
Clark

Cooper
Crawford

deGraffenried
Eddins

Gaither	Hines	Porter	Turner	
Givhan	Jones	Robison	Webb	
Godfrey	Kendall	Rutledge	Wilson	
Golson	Moses	Samford	Word	
Graham				—24

Nays:

Messrs.:	Caffey	Dumas		—2
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And said Bill, as thus amended by the Conference Report, was again read at length and passed.

Yeas 22; Nays 4.

Yeas:

Messrs.:	Eddins	Graham	Rutledge	
Berryman	Farmer	Jones	Turner	
Clark	Gaither	Kendall	Webb	
Cooper	Givhan	Moses	Wilson	
Crawford	Godfrey	Porter	Word	
deGraffenried	Golson	Robison		—22

Nays:

Messrs.:	Hines	Samford	Shelton	
Dumas				—4

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Murphy:

H. J. R. 55. WHEREAS the selection of the United States' representative to defend the challenge for the America's Cup is now being conducted in the highest tradition of the sea and of American sport, and

WHEREAS the people of Alabama share with the people of New England and with all Americans the inheritance of these proud traditions,

NOW THEREFORE BE IT RESOLVED that the Honorable C. M. A. Rogers, III and the Honorable W. E. Perry, Jr. be designated the official representatives of the people of Alabama to attend and observe in their name the challenge races for the America's Cup,

BE IT FURTHER RESOLVED that such official representatives be empowered and authorized to name a group of not more than five persons to accompany them, and that the names of these persons together with a copy of this resolution be sent to the Commodore of the New York Yacht Club by the Clerk of the House of Representatives of Alabama with a request that they be assisted in securing suitable accommodations and observation opportunities for the racing,

BE IT FURTHER RESOLVED that such group of persons be known as the Semmes Committee in honor of Admiral Raphael Semmes, CSN

and that the Semmes Committee be and it hereby is requested to report to the Regular Session of the Legislature in 1963 on the feasibility of an expanded program of sailing yacht racing in Alabama waters.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. deGraffenried, the Rules were suspended and the Resolution, H. J. R. 55, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 57. To create a Local Government Commission in each county in the State having a population of 500,000 or more, according to the 1960 or any succeeding decennial Federal census, to provide for the membership, organization, functions, powers and duties of such Commission, to provide for the financing of such Commission's work by appropriation from the County and each municipality therein, and the receipt by the Commission of donations, to provide for the submission of recommended municipal mergers, annexations or changes in form of government to a vote of the qualified voters affected thereby, and in the event of a favorable vote, the effectuation of such mergers, annexations or changes in form of government, and to provide for advisory referenda.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dumas, the Senate concurred in the following House amendment to the Bill, S. B. 57, the title of which is set out in the foregoing Message from the House:

AMENDMENT TO SENATE BILL 57

The word "Commission" as a part of the name or designation of the agency created by the Act proposed by this bill is stricken in the Title and in the body of the bill and the word "Committee" is substituted therefor.

Section 3 is hereby amended by striking out the words "June 1 of the third year" in line 2 thereof and inserting in lieu thereof "one year".

Section 4 is hereby amended by striking out the first sentence of subsection (a) and inserting in lieu thereof "Recommendations concerning municipal mergers or annexations which might advantageously be made."

Section 7 is hereby amended by striking out the first sentence and inserting in lieu thereof "The Committee shall submit its report showing its final findings and conclusions and the facts, data and reasons to sup-

port the same to the Legislature not later than one month after the convening of the next regular session thereof."

Sections 8 and 9 are hereby stricken out and eliminated completely and Sections 10, 11, 12, 13, 14 and 15 are renumbered accordingly.

AMENDMENT TO SENATE BILL 57

Section 2 of Senate Bill No. 57 is hereby amended to read as follows:

Section 2. The Committee shall be composed of fifteen members. The presidents of any private or denominational educational institutions of college or university rank located in the County shall be ex officio members of the Committee; provided if there are more than two such institutions, only the presidents of those two which shall have the largest number of students shall be members of the Committee. The remaining members of the Committee shall be appointed by the members of the House of Representatives who represent the County in the state legislature and the state senators from the senatorial districts in which the County shall be located, with a view to obtaining the services of patriotic citizens having some knowledge of or experience in the field of local government and with a view to obtaining reasonable geographical distribution throughout the County. Appointments shall, however, be made only from nominees which may be submitted by the following:

- (a) Three nominees by the governing body of the County.
- (b) Four nominees by the governing body of the largest municipality in the County.
- (c) One nominee by the governing body of each of the other municipalities in the County.
- (d) Three nominees by the County, council or group representative of all or substantially all labor organizations in the County.
- (e) One nominee by any other County council or group representative of labor organizations in the County.
- (f) Two nominees by the governing body of the largest and most representative group of business and professional men in the County, whose purpose is civic improvement.
- (g) One nominee from each chamber of commerce or board of trade in the County, having a membership of fifty or more, other than the organization designated in the preceding sub-paragraph.

In addition nominations may also be made by petition signed by twenty-five or more qualified electors.

AMENDMENT TO SENATE BILL 57

All nominations must be submitted in writing to the Judge of Probate of the County within thirty days after this act becomes applicable to the County. The Judge of Probate shall determine which nominations are properly submitted and prepare a list of all nominees and he shall call a meeting of the representatives of the County in the state legislature and the state senators for the senatorial districts in which the County shall be

located in his office not later than one week after the last day for submitting nominations. The representatives and senators shall proceed to make the appointments required to complete the membership on the Committee.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Green	Robison
Barnett	Gaither	Hines	Shelton
Berryman	Givhan	Jones	Turner
Clark	Godfrey	Kendall	Webb
Cooper	Golson	Moses	Wilson
Crawford	Graham	Porter	Word
Dumas			

—24

Nays:

—0

RESOLUTION

Mr. Samford offered the following Senate Joint Resolution, to-wit:

S. J. R. 15. WHEREAS, U. S. Rubber Company has recently announced its intention to locate a \$20,000,000 plant near Opelika, in Lee County, Alabama, and

WHEREAS, said plant will be the most modern tire manufacturing plant in the world, and will provide employment for large numbers of citizens of Alabama as well as bring many new citizens to this state, and

WHEREAS, the citizens of Lee County and the State of Alabama are most gratified at the decision of U. S. Rubber Company to locate its newest and most modern plant in Lee County, Alabama, and

WHEREAS, it is the stated purpose of the Legislature of the State of Alabama to encourage the location and development of industry within the State of Alabama by fair and equitable treatment of industry in all phases of its operation, now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That U. S. Rubber Company is extended a most cordial welcome to the family of industry within the State of Alabama and that the company be assured of the desire of this Legislature to provide a favorable climate for the development of this industry.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Mr. George R. Vila, President of U. S. Rubber Company and to the Chamber of Commerce of Opelika, Alabama.

On motion of Mr. Samford, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING

The Bill:

H. 87. To amend Section 41 of Title 50 of the Code of Alabama of 1940 so as to authorize an improvement authority organized under the provisions of Chapter 3 of Title 50 of said Code to issue refunding bonds and bonds for the combined purpose of refunding bonds theretofore issued and of paying the costs of constructing and acquiring any enterprise which it is permitted to own and operate or any improvement or addition thereto.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Porter
Andrews	Dumas	Graham	Robison
Barnett	Eddins	Green	Rutledge
Berryman	Farmer	Hines	Samford
Clark	Gaither	Jones	Shelton
Cooper	Givhan	Kendall	Turner
Crawford	Godfrey	Moses	Wilson

—27

Nays: —0

The Bill:

H. 188. Relating to counties having populations of not less than 97,000 nor more than 117,000; providing further for regulation of persons engaged in the business of selling money orders and other like instruments.

Was read a third time at length and passed.

Yeas 25; Nay 1.

Yeas:

Messrs.:	Dumas	Graham	Rutledge
Barnett	Eddins	Hines	Samford
Berryman	Farmer	Jones	Shelton
Clark	Gaither	Moses	Turner
Cooper	Givhan	Porter	Wilson
Crawford	Godfrey	Robison	Word
deGraffenried	Golson		

—25

Nay:

Mr. Caffey —1

The Bill:

H. 125. To amend Sections 2 and 14, Act No. 913, H. 1319, Regular Session 1961 (Acts 1961, p. 1464) which Act authorizes the levy of special

county privilege license and excise taxes for educational purposes when approved at a referendum election, in all counties having a population of 45,000 or less inhabitants.

Was taken up.

Mr. Kendall offered the following amendment to the Bill, to-wit:

Amendment to H.B. 125

Amend H. B. 125 by striking therefrom the following words and figures "to exempt counties having a population of not less than 35,600 and not more than 36,000" and "Amend H. B. 125 to exempt counties having a population of not less than 24,550 and not more than 24,570."

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Robison	
Barnett	Dumas	Graham	Rutledge	
Berryman	Eddins	Hines	Samford	
Caffey	Farmer	Jones	Shelton	
Clark	Gaither	Kendall	Turner	
Cooper	Givhan	Moses	Wilson	
Crawford	Godfrey	Porter	Word	—27

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dumas	Golson	Robison	
Barnett	Eddins	Graham	Samford	
Berryman	Farmer	Hines	Shelton	
Clark	Gaither	Jones	Turner	
Crawford	Givhan	Kendall	Wilson	
deGraffenried	Godfrey	Porter	Word	—23

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 53, by a vote of Yeas 64; Nays 9.

And the bill:

S. 53. To amend Section 1 of Act No. 388, approved September 9, 1955, entitled "An Act To Fix the Compensation of Certain State Officers."

As amended by the report of the Committee on Conference was again read at length and passed by a vote of Yeas 63; Nays 8.

And said bill, together with the report of the Committee on Conference is herewith returned to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 85. To apply only in counties having populations of not less than 27,000 nor more than 29,000; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken; prescribing penalties.

Also:

S. 89. To alter, rearrange and extend the boundaries and corporate limits of the City of Ozark, Dale County, Alabama, so as to annex certain territory to the city.

Also:

S. 92. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for any county in this State which has a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal decennial census.

Also:

S. 91. To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census, from making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of passing vehicles, unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use.

Also:

S. 90. Proposing an amendment to the Constitution of Alabama relative to levying property taxes for public school purposes in Franklin County.

Also:

S. 88. For the relief of H. E. Bryant; providing that the board of managers of the City of Birmingham retirement and relief system, established by Act No. 929 of the regular session of the legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, Page 1579, et seq.), shall have six months from the effective date of this Act in which to take action on the application of H. E. Bryant for extraordinary disability allowance.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 15. Relative to extending a cordial welcome to the U.S. Rubber Company to the State of Alabama.

OAKLEY MELTON, JR.,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 199. To apply only in counties having populations of not less than 20,000 nor more than 21,000; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken; prescribing penalties.

Was taken up.

Mr. Green offered the following amendment to the Bill, to-wit:

Amendment to H. B. 199

In Section 2, strike out "Any person duly licensed as provided in this Act may take," and insert "Any resident of the county duly licensed as provided in this Act may take,"

Also, in Section 3, strike out "Any person desiring a license" and insert "Any resident of the county desiring a license"

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:
Andrews

Barnett
Caffey

Clark
Cooper

Crawford
deGraffenried

Dumas	Golson	Moses	Samford
Eddins	Graham	Porter	Webb
Farmer	Green	Robison	Wilson
Gaither	Kendall	Rutledge	Word
Givhan			

—24

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Hines	Rutledge
Barnett	Givhan	Jones	Samford
Berryman	Godfrey	Kendall	Shelton
Caffey	Golson	Moses	Turner
Clark	Graham	Porter	Webb
Crawford	Green	Robison	Word
Dumas			

—24

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Grouby:

H. 3. To amend further Code of Alabama 1940, Title 13, Section 112, so as to create the 34th judicial circuit.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 3—to the Committee on Finance and Taxation.

BILLS ON THIRD READING RESUMED

The Bill:

H. 193. Relating to the Office of the Circuit Solicitor of the Thirty-

Third Judicial Circuit: Creating a fund for the use of certain state officers of said Circuit.

Was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. 193

A BILL TO BE ENTITLED AN ACT

Relating to the office of solicitor of the Thirty-third Judicial Circuit; creating a solicitor's fund for the use of the circuit solicitor.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. All circuit solicitors' fees imposed by the circuit court and hereafter collected in the Thirty-third Judicial Circuit under the provisions of Section 85 of Title 11, Code of Alabama 1940, as amended, shall be paid into the county treasury of the county where the fee is imposed and collected to the credit of a solicitor's fund to be used and expended as provided in Section 2 of this Act.

Section 2. The circuit solicitor of the Thirty-third Judicial Circuit is hereby authorized to make requisitions on the solicitor's fund for the payment of any and all expenses incurred by him in the operation of his office and the proper discharge of his duties as he sees fit.

Section 3. The provisions of Code of Alabama 1940, Title 29, Section 251, as amended, in conflict with this Act are repealed as to all counties composing the Thirty-third Judicial Circuit of Alabama.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mr. Barnett moved that the Committee substitute for the Bill, H. B. 193, be laid on the table, and the motion to table was lost.

Yeas 11; Nays 14.

Yeas:

Messrs.:
Barnett
Berryman

Clark
Cooper
deGraffenried

Gaither
Givhan
Golson

Graham
Moses
Porter

—11

Nays:

Messrs.:
Caffey
Crawford
Dumas

Eddins
Farmer
Hines
Jones

Kendall
Robison
Samford
Shelton

Turner
Webb
Wilson

—14

The question recurred on the substitute offered by the Standing Committee on Finance and Taxation for the Bill, H. B. 193, and said substitute was then adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Crawford	Graham	Samford	
Barnett	deGraffenried	Hines	Shelton	
Berryman	Dumas	Jones	Webb	
Caffey	Eddins	Kendall	Wilson	
Clark	Givhan	Moses	Word	
Cooper	Golson	Robison		—22

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nay 1.

Yeas:

Messrs.:	Crawford	Graham	Samford	
Andrews	deGraffenried	Hines	Shelton	
Barnett	Dumas	Kendall	Turner	
Berryman	Farmer	Moses	Webb	
Caffey	Givhan	Robison	Wilson	
Clark	Godfrey	Rutledge	Word	
Cooper	Golson			—25

Nay:

Mr. Jones

—1

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 125. To amend Sections 2 and 14, Act No. 913, H. 1319, Regular Session 1961 (Acts 1961, p. 1464) which Act authorizes the levy of special county privilege license and excise taxes for educational purposes when approved at a referendum election, in all counties having a population of 45,000 or less inhabitants.

OAKLEY MELTON, JR.,
Clerk.

REPORT FROM RULES

Mr. Caffey, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint

Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 28. Relative to the admission of Kentucky to the Tennessee-Tombigbee Waterway Development Compact.

On motion of Mr. Kendall, the Senate concurred in and adopted the Resolution, H. J. R. 28.

BILLS ON THIRD READING RESUMED

The Bill:

H. 172. To amend Act No. 44, H. 53, of the Special Session of the Legislature of 1961 (Acts 1961, p. 1897), entitled "An Act to provide for a license tax on and the assessment and collection of ad valorem taxes on house trailers."

Was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. 172

A BILL TO BE ENTITLED AN ACT

To amend Act No. 44, H. 53, of the Special Session of the Legislature of 1961 (Acts 1961, p. 1897), entitled "An Act to provide for a license tax on and the assessment and collection of ad valorem taxes on house trailers."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The title and Sections 1 and 2 of Act No. 44, H. 53, of the Special Session of 1961 (Acts 1961, p. 1897), entitled "An Act to provide for a license tax on and the assessment and collection of ad valorem taxes on house trailers," are hereby amended to read as follows:

"An Act relating to house trailers; providing for registration of certain house trailers in this state; providing for the collection and distribution of the registration fee and the issuance of identification tags for use on house trailers registered hereunder, all in the same manner and subject to the same requirement of prior assessment and payment of ad valorem taxes as applies to the collection and distribution of motor vehicle licenses and the issuance of motor vehicle license tags; prescribing penalties; providing for the enforcement of this Act; and exempting house trailers forming a part of a dealer's stock from ad valorem taxation."

"Section 1. Every person, firm, or corporation who owns, maintains, or keeps in this state on or after October 1, 1962, a house trailer, except a house trailer which constitutes a part of his stock as a dealer and except a house trailer which has been assessed for ad valorem taxation as a part of the realty, shall pay an annual registration fee of three dollars (\$3.00);

and upon payment thereof such owner shall be furnished an identification plate which shall be immediately attached to and at all times thereafter displayed on the back of the trailer for which the registration fee was paid. The registration fee hereby provided for shall be paid in the county in which such trailer is customarily kept to the same county official who issues motor vehicle license tags in such county, and shall be due, payable, and delinquent at the same times that motor vehicle license taxes are due, payable, and delinquent. The official collecting such registration fees and issuing such identification tags in evidence of payment thereof shall be entitled to the same fees therefor that he receives for issuing motor vehicle license tags. He shall distribute the proceeds of such registration fee at the same time, in the same manner and proportions, and under the same pains and penalties as he does the proceeds of motor vehicle licenses; and he shall be entitled to the same commissions or allowances for so collecting and disbursing these registration fees as he receives for handling funds derived from issuing motor vehicle license tags. The identification plates shall be of the same size and design as motor vehicle license tags, shall be procured by the same state official in the same manner that motor vehicle license tags are procured and shall be furnished to the several probate judges or other county officials charged with the duty of issuing motor vehicle license tags at the same time and in the same manner that motor vehicle license tags are furnished."

"The owner of any house trailer who fails to pay the registration fee hereby provided for or who fails to display the identification tag on such trailer, as hereinabove required, shall be subject to the same penalties prescribed by law for a like offense relative to the payment of motor vehicle license taxes and the affixing of motor vehicle license tags; and this Act shall be enforced by the same officers, under the same conditions and through the same procedures that laws relative to the issuance and display of motor vehicle license tags are, except that failure to comply with this Act shall constitute an offense whether the house trailer is or is not used or operated on the roads or highways of the state."

"Section 2. No identification tag for a house trailer shall be issued until all ad valorem taxes due thereon have been paid. House trailers shall be assessed for ad valorem taxation and taxes thereon paid in the same manner that motor vehicles are assessed and ad valorem taxes thereon paid; and the identification tags shall be evidence of such assessment and payment to the same extent that motor vehicle license tags evidence assessment and payment of taxes on motor vehicles. For assessing house trailers for ad valorem taxation and collecting such taxes the officers performing these duties, respectively, shall be entitled to the same fees and allowances as they are entitled for performing like duties relative to motor vehicles."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Rutledge
Barnett	Dumas	Hines	Samford
Berryman	Eddins	Jones	Turner
Caffey	Farmer	Moses	Webb
Clark	Gaither	Porter	Wilson
Cooper	Givhan	Robison	Word
Crawford	Godfrey		

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Samford
Berryman	Eddins	Jones	Shelton
Caffey	Farmer	Kendall	Turner
Clark	Gaither	Porter	Webb
Cooper	Givhan	Robison	Wilson
Crawford	Golson	Rutledge	Word
deGraffenried	Green		

—25

Nays:

—0

The Bill:

H. 51. Relating to taxation; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Samford
Barnett	Dumas	Hines	Shelton
Berryman	Eddins	Jones	Turner
Caffey	Farmer	Kendall	Webb
Clark	Gaither	Moses	Wilson
Cooper	Givhan	Robison	Word
Crawford	Golson	Rutledge	

—26

Nays:

—0

REPORT FROM RULES

Mr. Caffey, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor, and ordered same returned to the Senate with a favorable report, to-wit:

Governor's Message—appointing Mr. Robert L. Harper as a member of the Alabama Educational Television Commission.

On motion of Mr. Kendall, the Senate confirmed the appointment of

Mr. Robert L. Harper as a member of the Alabama Educational Television Commission for the term expiring June 25, 1971.

BILLS ON THIRD READING RESUMED

The Bill:

H. 43. To amend Section 21 of Title 30, Code of Alabama 1940, providing for qualifications of persons on jury rolls.

Was taken up.

Mr. Caffey offered the following substitute for the Bill, to-wit:

Substitute for H. 43

A BILL TO BE ENTITLED AN ACT

To amend Section 21 of Title 30, Code of Alabama 1940, providing for qualifications of persons on jury rolls.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Code of Alabama 1940, Title 30, Section 21 is amended to read as follows:

"Section 21. Qualifications of persons on jury roll.—The jury commission shall place on the jury roll and in the jury box the names of all qualified male voters of the county who are generally reputed to be honest and intelligent men and are esteemed in the community for their integrity, good character and sound judgment; but no person must be selected who is under twenty-one or who is an habitual drunkard, or who, being afflicted with a permanent disease or physical weakness is unfit to discharge the duties of a juror; or cannot read English or who has ever been convicted of any offense involving moral turpitude. If a person cannot read English and has all the other qualifications prescribed herein and is a freeholder or householder his name may be placed on the jury roll and in the jury box. No person over the age of sixty-five years shall be required to serve on a jury or to remain on the panel of jurors unless he is willing to do so.

Section 2. This Act shall become effective January 1, 1963.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Cooper	Gaither	Hines
Andrews	Crawford	Givhan	Jones
Barnett	deGraffenried	Godfrey	Kendall
Berryman	Dumas	Golson	Moses
Caffey	Eddins	Graham	Porter
Clark	Farmer	Green	Robison

Rutledge	Shelton	Wilson	Word	
Samford	Turner			—29

Nays: —0

Mr. Caffey offered the following amendment to the Bill, as amended:

AMENDMENT TO H. 43, AS AMENDED

Amend Section 1 by striking therefrom the words "qualified male voters" in line 5 and substituting therefor the words "registered male voters."

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dumas	Graham	Rutledge	
Berryman	Eddins	Hines	Samford	
Caffey	Farmer	Jones	Shelton	
Clark	Gaither	Kendall	Turner	
Cooper	Givhan	Moses	Webb	
Crawford	Godfrey	Porter	Wilson	
deGraffenried	Golson	Robison	Word	—27

Nays: —0

And said Bill, as thus amended, was then read a third time at length and lost.

Yeas 15; Nays 11.

Yeas:

Messrs.:	Dumas	Golson	Kendall	
Berryman	Eddins	Graham	Porter	
Caffey	Farmer	Green	Samford	
deGraffenried	Givhan	Jones	Wilson	—15

Nays:

Messrs.:	Crawford	Robison	Turner	
Barnett	Godfrey	Rutledge	Webb	
Clark	Hines	Shelton	Word	—11

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 193. Relating to the office of solicitor of the Thirty-third Judicial Circuit; creating a solicitor's fund for the use of the circuit solicitor.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 199. To apply only in counties having populations of not less than 20,000 nor more than 21,000; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken; prescribing penalties.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 172. To amend Act No. 44, H. 53, of the Special Session of the Legislature of 1961 (Acts 1961, p. 1897), entitled "An Act to provide for a license tax on and the assessment and collection of ad valorem taxes on house trailers."

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this Bill originated, Senate Bill 9, without my approval and with a suggested Executive Amendment, as follows:

Amend said Senate Bill 9 by striking out the words "the Advisory Committee", wherever they appear in the fifth line from the bottom of Section 3, and substituting in lieu thereof, the following words:

"and after approval by the Advisory Board"

This amendment is made at the suggestion of the author of the bill and if adopted would remove my objection to the bill.

Respectfully,
JOHN PATTERSON,
Governor

GOVERNOR'S MESSAGE

On motion of Mr. Dumas, the Senate concurred in and adopted the amendment proposed by His Excellency the Governor, which said amendment is set out in the foregoing Message from the Governor to the Bill:

S. 9. To amend Sections 1, 2, and 3 of Act No. 530, Acts of Alabama Regular Session 1949, Page 835, "Relating to public health; to regulate through licensure hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act", so as to include domiciliary institutions, homes for the aged, intermediate institutions, and related institutions.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Barnett	Farmer	Jones	Samford
Caffey	Gaither	Kendall	Turner
Clark	Givhan	Moses	Webb
Crawford	Godfrey	Porter	Wilson
deGraffenried	Golson	Robison	Word
Dumas	Graham		

—25

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the Executive amendment, was then read again at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Shelton
Caffey	Givhan	Moses	Turner
Clark	Golson	Porter	Webb
deGraffenried	Graham	Robison	Wilson
Dumas	Hines	Rutledge	Word
Eddins			

—24

Nays:

—0

Which was a majority of the whole number elected to the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 135. To appropriate from any funds in the State Treasury to the credit of the General Fund not otherwise appropriated, for the fiscal year ending September 30, 1962, the sum of \$175,000.00 for the purpose of constructing and equipping a recreational building at Gulf State Park and to further provide for such construction.

Was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. 135

A BILL
TO BE ENTITLED
AN ACT

To appropriate from any funds in the State Treasury to the credit of the General Fund not otherwise appropriated the sum of \$175,000.00 for the purpose of constructing and equipping a recreational building at Gulf State Park and to further provide for such construction.

Be It Enacted by the Legislature of Alabama:

Section 1. That the sum of \$175,000.00 is hereby appropriated from any funds in the State Treasury to the credit of the General Fund not otherwise appropriated, to the State Building Commission to be used for the purpose of constructing and equipping a recreational building at Gulf State Park. Such construction shall be under the supervision and control of the State Building Commission, and the appropriation herein made shall be expended on order of said Commission or its duly authorized officers, agents or employees as directed by the Commission. The public improvement herein provided for shall be constructed pursuant to and in accordance with the provisions of Title 50, Code of Alabama 1940, as amended.

Section 2. This Act shall take effect upon the termination by operation of law or otherwise of that portion of a concession contract entered into between the State of Alabama and Roy J. Grimmett on March 22, 1957, granting the said Grimmett certain rights and privileges with respect to the operation of a restaurant and casino at Gulf State Park.

Which was adopted.

Yeas 22; Nay 1.

Yeas:

Messrs.:	Dumas	Hines	Shelton
Barnett	Farmer	Jones	Turner
Berryman	Gaither	Porter	Webb
Clark	Givhan	Robison	Wilson
Crawford	Godfrey	Rutledge	Word
deGraffenried	Graham	Samford	

—22

Nay:

Mr. Eddins

—1

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nay 1.

Yeas:

Messrs.	Dumas	Jones	Samford
Barnett	Farmer	Kendall	Shelton
Berryman	Gaither	Moses	Turner
Caffey	Givhan	Porter	Webb
Clark	Godfrey	Robison	Wilson
Crawford	Graham	Rutledge	Word
deGraffenried	Hines		

—25

Nay:

Mr. Eddins

—1

The Bill:

H. 184. To authorize and direct the Alabama Education Authority to allocate and distribute a part of the earnings or income from the investment of that part of the proceeds of bonds, issued by said Authority under Act No. 126, H. 15, Second Special Session 1959 (Acts 1959, p. 369), not currently needed for the purpose for which such bonds were issued, to the Alabama Institute for Deaf and Blind; and to provide for the use of such money for school building purposes upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959, Second Special Session, p. 369.

Was taken up.

Mr. Robison offered the following substitute for the Bill, to-wit:

Senate Substitute for H. B. 184

A BILL
TO BE ENTITLED
AN ACT

To provide for the allocation and distribution of earnings or income from the investment of the proceeds of bonds issued and sold by the Alabama Education Authority under Act No. 126, H. 15, Second Special Session 1959.

Be It Enacted by the Legislature of Alabama:

Section 1. The Alabama Education Authority established under Act No. 126, H. 15, Second Special Session 1959, is hereby authorized and directed to allocate and distribute from moneys in the state treasury to the credit of such Authority heretofore or hereafter accruing from earnings or income from the investment of that part of the proceeds of any bonds issued by it which could not be immediately applied to the purpose for which such bonds were issued the amounts specified as follows:

1. An amount not to exceed \$90,000 to the Alabama Institute for Deaf and Blind.

2. An amount not to exceed \$250,000 to the Alabama Industrial School for Negro Children.

Section 2. The Alabama Building Commission and the Alabama Education Authority shall each have the same power and authority and shall perform the same duties relative to the use of money distributed pursuant to this Act as they have relative to funds distributed pursuant to said Act No. 126, H. 15, Second Special Session 1959.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Turner, the substitute offered by Mr. Robison was laid on the table.

Yeas 21; Nays 7.

Yeas:

Messrs.:	Dumas	Golson	Rutledge
Barnett	Eddins	Hines	Samford
Berryman	Farmer	Kendall	Shelton
Caffey	Gaither	Moses	Turner
Clark	Givhan	Porter	Webb
Crawford	Godfrey		

—21

Nays:

Messrs.:	Graham	Jones	Wilson
deGraffenried	Green	Robison	Word

—7

Mr. Shelton then offered the following amendment to the Bill, to-wit:

Amendment to H. 184

In Section 1, add the following paragraph:

3. An amount not to exceed \$100,000 to the State College at Jacksonville to apply on the construction of an International House.

On motion of Mr. Turner, the amendment offered by Mr. Shelton was laid on the table.

Mr. Shelton then offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. 184

In Section 1, add the following paragraph:

3. An amount not to exceed \$60,000 to the State College at Jacksonville to apply on the construction of an International House.

And on motion of Mr. Turner, the amendment offered by Mr. Shelton was laid on the table.

Mr. Shelton then offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. 184

In Section 1, add the following paragraph:

An amount not to exceed \$50,000 to the State College at Jacksonville to apply on the construction of an International House.

On motion of Mr. Turner, the amendment offered by Mr. Shelton was laid on the table.

Yeas 24; Nays 4.

Yeas:

Messrs.:	deGraffenried	Golson	Moses
Andrews	Dumas	Graham	Porter
Barnett	Eddins	Green	Robison
Berryman	Farmer	Hines	Rutledge
Caffey	Gaither	Jones	Samford
Clark	Givhan	Kendall	Turner
Crawford			

—24

Nays:

Messrs.:	Shelton	Wilson	Word
Godfrey			

—4

Mr. Word offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. 184

In Section 1, add the following paragraph:

3. An amount not to exceed \$100,000 to the Jackson-DeKalb Jr. College and Trade School in DeKalb County, Alabama.

And on motion of Mr. Turner, said amendment was laid on the table.

Yeas 22; Nays 6.

Yeas:

Messrs.:	Dumas	Graham	Porter
Andrews	Eddins	Green	Rutledge
Berryman	Farmer	Hines	Samford
Caffey	Gaither	Jones	Turner
Clark	Givhan	Kendall	Webb
Crawford	Golson	Moses	

—22

Nays:

Messrs.:	Godfrey	Shelton	Word
deGraffenried	Robison	Wilson	

—6

Mr. Moses then offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. 184

In Section 1, add the following paragraph:

3. An amount not to exceed \$200,000 to the Northwest Alabama Junior College in Franklin County.

On motion of Mr. Turner, the amendment offered by Mr. Moses was laid on the table.

And said Bill, H. B. 184, was then read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Eddins	Green	Rutledge
Andrews	Farmer	Hines	Samford
Barnett	Gaither	Jones	Shelton
Berryman	Givhan	Kendall	Turner
Caffey	Godfrey	Moses	Webb
Clark	Golson	Porter	Wilson
Crawford	Graham	Robison	Word
deGraffenried			

—28

Nays:

—0

The Bill:

H. 37. To provide for collection and enforcement by the state department of revenue of sales and use taxes levied or assessed by any city or town.

was taken up.

Mr. Crawford offered the following substitute for the Bill, to-wit:

Substitute for H. 37

A BILL
TO BE ENTITLED
AN ACT

To provide for collection and enforcement by the state department of revenue of sales and use taxes levied or assessed by any city or town.

Be It Enacted by the Legislature of Alabama:

Section 1. On the request of the governing body of any city or town, the state department of revenue shall collect any privilege license tax levied by such city or town under the provisions of a municipal ordinance when the levy parallels the state levy of sales and use taxes, except for rate of tax, and is subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments, and deductions as are applicable to the state sales and use taxes levied by Act 100, H. 94, Second Special Session 1959, and Article 11, Chapter 20, of Title 51, Code of Alabama 1940, and all acts amendatory thereof or supplementary thereto except where inapplicable or where herein otherwise provided, including provisions for enforcement and collection of the taxes, if the ordinance is duly promulgated and adopted by the governing body of such city and a certified copy of the ordinance is filed with the state department of revenue.

Section 2. Such municipal taxes shall be collected by the state department of revenue at the same time and along with the collection by the department of taxes levied and collected for the state under the provisions of said Act No. 100, H. 94, Second Special Session 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as amended; and all reports required to be made to the commissioner of revenue for any city or town pursuant to this Act shall, on request made to the department of revenue, be made available for inspection by the governing body of such city or town or its designated agent, at reasonable times during business hours.

Section 3. The department of revenue shall prepare and distribute such reports, blank forms, and other information as may be necessary to provide for collection of municipal taxes for any city or town coming under this Act, and shall have all authority and duties hereunder as it has in connection with the collection of the state sales and use taxes provided for by said Act No. 100 and said Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented.

Section 4. It shall be the duty of the commissioner of revenue to pay into the state treasury all municipal taxes collected under this Act, and on or before the first day of the following month, the commissioner shall certify to the comptroller the amount of special taxes collected for each city or town coming under the provisions of this Act during the calendar month immediately preceding the making of such certificate. The amount certified by the commissioner of revenue as having been collected for the use of a city or town, less collection charges deducted, shall be paid to the treasurer or other custodian of funds of such city. The state department of revenue shall charge each city or town for collecting municipal license taxes the cost to the department for making such collections, provided such charge shall not exceed ten percent of the amount collected. The comptroller shall once each month draw his warrant on the funds collected under this Act payable to the department of revenue for the amount of such charges, as determined by the commissioner of revenue.

Section 5. The commissioner of revenue may employ special counsel when necessary from time to time to enforce collection of municipal license taxes for any city or town coming under the provisions of this Act, and otherwise to enforce the provisions of the ordinance levying such taxes, including any litigation required, and the department of revenue may pay special counsel such fees as the commissioner considers reasonable and proper from the proceeds of the taxes payable to such city under the provisions of this Act.

Section 6. Any amendment of any municipal ordinance heretofore adopted levying a tax required to be collected hereunder shall not be effective until the first day of the month next following the expiration of 30 days from the date of the adoption of such amendment. The department of revenue shall not be required to make any collection of municipal taxes, or otherwise perform any duties as provided for herein until a certified copy of the ordinance and amendments thereto has been on file with the department of revenue for at least 30 days.

Section 7. All laws or parts of laws which conflict with this Act are repealed.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Section 10. This Act shall apply only to municipalities situated in counties having populations of not less than 56,700 nor more than 60,500, according to the 1960 or any subsequent federal decennial census; and also to municipalities situated in counties having populations of not less than 115,000 nor more than 160,000, and municipalities situated in counties having populations of not less than 17,000 nor more than 17,500, according to the most recent federal decennial census.

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Crawford	Golson	Moses
Andrews	deGraffenried	Graham	Porter
Barnett	Dumas	Green	Robison
Berryman	Eddins	Hines	Rutledge
Caffey	Farmer	Jones	Samford
Clark	Godfrey	Kendall	Webb

—23

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Cooper	Gaither	Moses
Andrews	Crawford	Givhan	Robison
Barnett	deGraffenried	Golson	Samford
Berryman	Dumas	Graham	Turner
Caffey	Eddins	Jones	Wilson
Clark	Farmer	Kendall	Word

—23

Nays:

—0

The Bill:

H. 36. To amend Act No. 652, H. 88, Regular Session 1961, entitled "An Act to exclude certain municipal privilege licenses from gross sales, or gross receipts, in the computation of State Sales Taxes (Act No. 100, H. 94, approved August 18, 1959, Acts 1959, vol. 1, p. 298)".

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Samford
Andrews	Eddins	Hines	Shelton
Berryman	Farmer	Jones	Turner
Caffey	Gaither	Kendall	Webb
Clark	Givhan	Moses	Wilson
Crawford	Golson	Porter	Word
deGraffenried	Graham	Robison	

—26

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 55. Relative to the designation of the Honorable C. M. A. Rogers, III and the Honorable W. E. Perry, Jr, as official representatives of the people of Alabama to attend the challenge races for the America's Cup.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of

a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 28. Relative to the admission of the Commonwealth of Kentucky into the Tennessee-Tombigbee Waterway Development Compact.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 87. To amend Section 41 of Title 50 of the Code of Alabama of 1940 so as to authorize an improvement authority organized under the provisions of Chapter 3 of Title 50 of said Code to issue refunding bonds and bonds for the combined purpose of refunding bonds theretofore issued and of paying the costs of constructing and acquiring any enterprise which it is permitted to own and operate or any improvement or addition thereto.

Also:

H. 188. Relating to counties having populations of not less than 97,000 nor more than 117,000; providing further for regulation of persons engaged in the business of selling money orders and other like instruments.

Also:

H. 51. Relating to taxation; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

Also:

H. 199. To apply only in counties having populations of not less than 20,000 nor more than 21,000; regulating further the taking of fish

from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken; prescribing penalties.

Also:

H. 193. Relating to the office of solicitor of the Thirty-third Judicial Circuit; creating a solicitor's fund for the use of the circuit solicitor.

Also:

H. 125. To amend Sections 2 and 14, Act No. 913, H. 1319, Regular Session 1961 (Acts 1961, p. 1464) which Act authorizes the levy of special county privilege license and excise taxes for educational purposes when approved at a referendum election, in all counties having a population of 45,000 or less inhabitants.

Also:

H. 172. To amend Act No. 44, H. 53, of the Special Session of the Legislature of 1961 (Acts 1961, p. 1897), entitled "An Act to provide for a license tax on and the assessment and collection of ad valorem taxes on house trailers."

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 9. To amend Sections 1, 2, and 3 of Act No. 530, Acts of Alabama Regular Session 1949, Page 835, "Relating to public health; to regulate through licensure hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act", so as to include domiciliary institutions, homes for the aged, intermediate institutions, and related institutions.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 59; Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 59; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

OAKLEY MELTON, JR.,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 163. To amend the revenue law; defining further certain terms used in administering state sales and use tax statutes; repealing conflicting laws.

Was taken up.

Mr. Cooper offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. B. 163

A BILL TO BE ENTITLED AN ACT

To amend the revenue law; defining further certain terms used in administering state sales and use tax statutes; repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. For the purpose of administering the state sales and use tax laws, the terms "wholesale sale" or "sale at wholesale" shall include the sale of containers to persons engaged in selling or otherwise supplying or furnishing baby chicks to growers thereof where such containers are used for the delivery of such chicks, and shall further include containers sold for use in the delivery of eggs by the producer thereof to the distributor or packer of such eggs even though such containers used for delivery of baby chicks or eggs may be recovered for reuse.

Section 2. All laws or laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. deGraffenried, the substitute offered by Mr. Cooper was laid on the table.

Yeas 20; Nays 7.

Yeas:

Messrs.:	Crawford	Gaither	Jones
Andrews	deGraffenried	Givhan	Kendall
Caffey	Eddins	Green	Moses
Clark	Farmer	Hines	Robison

Rutledge Turner	Webb	Wilson	Word	—20
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Nays:

Messrs.: Cooper	Dumas Godfrey	Graham Porter	Samford Shelton	—7
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And said Bill was then read a third time at length and passed.

Yeas 22; Nays 7.

Yeas:

Messrs.: Barnett Clark Crawford deGraffenried Eddins	Farmer Gaither Givhan Godfrey Golson Green	Hines Jones Kendall Moses Robison Rutledge	Samford Turner Webb Wilson Word	—22
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Nays:

Messrs.: Berryman	Caffey Cooper	Dumas Graham	Porter Shelton	—7
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The Bill:

H. 136. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 25,500 nor more than 25,700 according to the last or any subsequent federal decennial census.

Was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. 136

A BILL TO BE ENTITLED AN ACT

To fix additional compensation and allowance of certain election officers in every county of the state having a population of not less than 25,500 nor more than 25,700 according to the last or any subsequent federal decennial census.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply to each county of the state having a population of not less than 25,500 nor more than 25,700 according to the last or any subsequent federal decennial census.

Section 2. Election officers who are appointed and serve under provisions of Chapter 1, Title 17, Code of Alabama 1940, as amended, shall receive additional compensation and allowances as follows: the returning officer and the inspectors and clerks shall each be entitled to an additional five dollars (\$5.00); the several claims shall be paid as preferred claims, out of moneys in the county treasury not otherwise appropriated, on proper proof of service rendered, and shall be paid from county funds only and for which there shall be no reimbursement.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Godfrey	Robison	
Andrews	deGraffenried	Graham	Shelton	
Barnett	Dumas	Hines	Turner	
Berryman	Eddins	Jones	Webb	
Caffey	Gaither	Moses	Wilson	
Clark	Givhan	Porter	Word	
Cooper				—24

Nays: —0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge	
Andrews	Eddins	Jones	Samford	
Barnett	Farmer	Kendall	Shelton	
Berryman	Gaither	Moses	Webb	
Cooper	Godfrey	Porter	Wilson	
Crawford	Graham	Robison	Word	
deGraffenried				—24

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 37. To provide for collection and enforcement by the state department of revenue of sales and use taxes levied or assessed by any city or town.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 135. To appropriate from any funds in the State Treasury to the credit of the General Fund not otherwise appropriated the sum of \$175,000.00 for the purpose of constructing and equipping a recreational building at Gulf State Park and to further provide for such construction.

OAKLEY MELTON, JR.,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 180. For the relief of John T. Lancaster, authorizing and requiring the county governing body of Tuscaloosa County, Alabama, to make an appropriation from the county treasury to compensate the said John T. Lancaster for certain damages.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Hines	Rutledge
Andrews	Gaither	Jones	Samford
Barnett	Givhan	Kendall	Shelton
Berryman	Golson	Moses	Webb
Caffey	Graham	Porter	Wilson
Clark	Green	Robison	Word
Cooper			—24

Nays:

—0

The Bill:

H. 197. To fix the compensation of the coroner of Madison County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenreid	Godfrey	Kendall
Andrews	Dumas	Golson	Robison
Berryman	Eddins	Graham	Rutledge
Caffey	Farmer	Green	Turner
Clark	Gaither	Hines	Wilson
Cooper	Givhan	Jones	Word
Crawford			—24

Nays:

—0

The Bill:

H. 178. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 65,000 nor more than 90,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Graham	Porter
Andrews	Farmer	Green	Robison
Barnett	Gaither	Hines	Rutledge
Berryman	Givhan	Jones	Samford
Clark	Godfrey	Kendall	Wilson
Cooper	Golson	Moses	Word
Dumas			

—24

Nays:

—0

The Bill:

H. 195. For the relief of H. E. Bryant; providing that the Board of Managers of the City of Birmingham Retirement and Relief System, established by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, page 1579, et seq.) shall have six months from the effective date of this Act in which to take action on the application of H. E. Bryant for extraordinary disability allowance.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Green	Samford
Andrews	Gaither	Jones	Shelton
Caffey	Givhan	Kendall	Turner
Clark	Godfrey	Moses	Webb
Cooper	Golson	Porter	Wilson
Crawford	Graham	Robison	Word
Dumas			

—24

Nays:

—0

The Bill:

H. 198. To amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, vol. 1, p. 273), which relates to Mobile County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Samford
Andrews	Eddins	Jones	Shelton
Barnett	Farmer	Kendall	Turner
Caffey	Gaither	Moses	Webb
Cooper	Givhan	Porter	Wilson
Crawford	Graham	Robison	Word
deGraffenried			

—24

Nays:

—0

The Bill:

H. 114. Providing and to provide for the taking of depositions in connection with any controversy, suit, case, cause or proceeding pending or to be tried in any court of record in counties in Alabama having a population of not less than 100,000 people nor more than 115,000 people according to the 1960 or any subsequent Federal census of witnesses and parties for discovery or evidence in any controversy, suit, case, proceeding or cause at law or in equity contemplated or provided by Act 375 of Acts of Alabama of 1955, 1955 Acts of Alabama, Page 901, et sequitur, or any amendment thereof or thereto, or to which the provisions thereof are made applicable by other laws of Alabama, by Commissioners; fixing the power and authority of such Commissioners to take such depositions and conduct hearings therefor and to issue subpoenas and subpoenas duces tecum to witnesses and parties for the purpose of taking such depositions, providing for the compensation of such witnesses and parties and fixing the schedule of fees for such Commissioners for taking and certifying such depositions and providing for the taxing of such fees as costs.

Was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 114

Amend H. B. 114 by striking therefrom Section 3 and inserting in lieu thereof as Section 3 the following: For taking and transcribing the testimony of witnesses, whose depositions are actually introduced in evidence in the said cause by the moving party, the Commissioner is entitled to 45c for every hundred words, not including the caption certificate or exhibits; and ten cents for each mile necessarily traveled by him in the taking of such testimony; all of which must, upon the certificate of the Commissioner, be taxed as costs in the cause. In such cases the commissioner is entitled to the usual and ordinary per diem.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Hines	Rutledge
Andrews	Eddins	Jones	Samford
Barnett	Farmer	Kendall	Shelton
Berryman	Golson	Moses	Webb
Caffey	Graham	Porter	Wilson
Clark	Green	Robison	Word
Cooper			

—24

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Hines	Rutledge
Andrews	Eddins	Jones	Samford
Barnett	Farmer	Kendall	Shelton
Berryman	Golson	Moses	Webb
Caffey	Graham	Porter	Wilson
Clark	Green	Robison	Word
Cooper			

—24

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 136. To fix additional compensation and allowance of certain election officers in every county of the state having a population of not less than 25,500 nor more than 25,700 according to the last or any subsequent federal decennial census.

OAKLEY MELTON, JR.,
Clerk.

APPOINTMENT OF SENATE MEMBERS LEGISLATIVE INTERIM COMMITTEE ON MENTAL HEALTH

In accordance with the provisions of S. B. 74, the President and Presiding Officer of the Senate appointed Messrs. Shelton, Cooper and Clark as Senate members of the Legislative Interim Committee on Mental Health.

MESSAGE FROM THE HOUSE

Mr. President:

In accordance with the provisions of S. B. 74, the Speaker of the

House has named as a Committee on the part of the House Messrs. Camp, Callahan, Bevill and Sullivan.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 36. To amend Act No. 652, H. 88, Regular Session 1961, entitled "An Act to exclude certain municipal privilege licenses from gross sales, or gross receipts, in the computation of State Sales Taxes (Act No. 100, H. 94, approved August 18, 1959, Acts 1959, vol. 1, p. 298)".

Also:

H. 184. To authorize and direct the Alabama Education Authority to allocate and distribute a part of the earnings or income from the investment of that part of the proceeds of bonds, issued by said Authority under Act No. 126, H. 15, Second Special Session 1959 (Acts 1959, p. 369), not currently needed for the purpose for which such bonds were issued, to the Alabama Institute for Deaf and Blind; and to provide for the use of such money for school building purposes upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959, Second Special Session, p. 369.

Also:

H. 135. To appropriate from any funds in the State Treasury to the credit of the General Fund not otherwise appropriated the sum of \$175,000.00 for the purpose of constructing and equipping a recreational building at Gulf State Park and to further provide for such construction.

Also:

H. 163. To amend the revenue law; defining further certain terms used in administering state sales and use tax statutes; repealing conflicting laws.

Also:

H. 178. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 65,000 nor more than 90,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

H. 180. For the relief of John T. Lancaster, authorizing and requiring the county governing body of Tuscaloosa County, Alabama, to make an

appropriation from the county treasury to compensate the said John T. Lancaster for certain damages.

Also:

H. 195. For the relief of H. E. Bryant; providing that the Board of Managers of the City of Birmingham Retirement and Relief System, established by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, page 1579, et seq.) shall have six months from the effective date of this Act in which to take action on the application of H. E. Bryant for extraordinary disability allowance.

Also:

H. 197. To fix the compensation of the coroner of Madison County.

Also:

H. 198. To amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, vol. 1, p. 273), which relates to Mobile County.

Also:

H. 136. To fix additional compensation and allowance of certain election officers in every county of the state having a population of not less than 25,500 nor more than 25,700 according to the last or any subsequent federal decennial census.

Also:

H. 37. To provide for collection and enforcement by the state department of revenue of sales and use taxes levied or assessed by any city or town.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session has compared the following enrolled Senate Bills and Senate Joint Resolution, with the original Senate Bills and Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. 9. To amend Sections 1, 2, and 3 of Act No. 530, Acts of Alabama Regular Session 1949, Page 835, "Relating to public health; to regulate

through licensure hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act", so as to include domiciliary institutions, homes for the aged, intermediate institutions, and related institutions.

Also:

S. 53. To amend Section 1 of Act No. 388, approved September 9, 1955, entitled "An Act To Fix the Compensation of Certain State Officers".

Also:

S. 57. To create a Local Government Committee in each county in the State having a population of 500,000 or more, according to the 1960 or any succeeding decennial Federal census, to provide for the membership, organization, functions, powers and duties of such Committee, to provide for the financing of such Committee's work by appropriation from the County and each municipality therein, and the receipt by the Committee of donations, to provide for the submission of recommended municipal mergers, annexations or changes in form of government to a vote of the qualified voters affected thereby, and in the event of a favorable vote, the effectuation of such mergers, annexations or changes in form of government, and to provide for advisory referenda.

Also:

S. 85. To apply only in counties having populations of not less than 27,000 nor more than 29,000; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken; prescribing penalties.

Also:

S. 88. For the relief of H. E. Bryant; providing that the board of managers of the City of Birmingham retirement and relief system, established by Act No. 929 of the regular session of the legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, Page 1579, et seq.), shall have six months from the effective date of this Act in which to take action on the application of H. E. Bryant for extraordinary disability allowance.

Also:

S. 89. To alter, rearrange and extend the boundaries and corporate limits of the City of Ozark, Dale County, Alabama, so as to annex certain territory to the city.

Also:

S. 91. To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census, from making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of

passing vehicles, unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use.

Also:

S. 92. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for any county in this State which has a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal decennial census.

Also:

S. J. R. 15. Welcoming the U. S. Rubber Company plant near Opelika, Alabama.

Also:

S. 90. Proposing an amendment to the Constitution of Alabama relative to levying property taxes for public school purposes in Franklin County.

HUGH MOSES,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate bills and Senate Joint Resolutions delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

- S. B. 42. Delivered to the Governor, July 13, 1962, at 4:15 P.M.
- S. B. 74. Delivered to the Governor, July 13, 1962, at 4:15 P.M.
- S. B. 75. Delivered to the Governor, July 13, 1962, at 4:15 P.M.
- S. B. 79. Delivered to the Governor, July 13, 1962, at 4:15 P.M.
- S. B. 82. Delivered to the Governor, July 13, 1962, at 4:15 P.M.
- S. B. 76. Delivered to the Governor, July 13, 1962, at 4:15 P.M.
- S. B. 84. Delivered to the Governor, July 14, 1962, at 9:12 A.M.
- S. J. R. 14. Delivered to the Governor, July 14, 1962, at 9:12 A.M.
- S. J. R. 13. Delivered to the Governor, July 14, 1962, at 9:12 A.M.

S. B. 55. Delivered to the Governor, July 14, 1962, at 9:12 A.M.
S. B. 9. Delivered to the Governor, July 14, 1962, at 1:30 P.M.
S. B. 53. Delivered to the Governor, July 14, 1962, at 1:30 P.M.
S. B. 57. Delivered to the Governor, July 14, 1962, at 1:30 P.M.
S. B. 85. Delivered to the Governor, July 14, 1962, at 1:30 P.M.
S. B. 88. Delivered to the Governor, July 14, 1962, at 1:30 P.M.
S. B. 89. Delivered to the Governor, July 14, 1962, at 1:30 P.M.
S. B. 91. Delivered to the Governor, July 14, 1962, at 1:30 P.M.
S. B. 92. Delivered to the Governor, July 14, 1962, at 1:30 P.M.
S. J. R. 15. Delivered to the Governor, July 14, 1962, at 1:30 P.M.
S. B. 90. Delivered to the Secretary of State, July 14, 1962, at 1:32 P.M.

J. E. SPEIGHT,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Eighteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Eighteenth Legislative Day was approved by the Senate.

ADJOURNMENT

At 1:24 P.M., on Motion of Mr. Kendall, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned sine die.

ALBERT BOUTWELL,
Lieutenant Governor and President and Presiding Officer of the Senate.

ATTEST:
J. E. SPEIGHT,
Secretary of Senate.

ROSTER OF THE SENATE OF ALABAMA

First Extraordinary Session 1962

Albert Boutwell, *Lieutenant Governor*.....Birmingham

Vaughan Hill Robison, *President Pro-Tem*.....Montgomery

J. E. Speight, *Secretary*.....Montgomery

Mrs. Nell W. Ruffer, *Assistant Secretary*.....Montgomery

First Senatorial District—Lauderdale and Limestone Counties.

E. B. Haltom, Jr. P. O. Box 649, Florence

Second Senatorial District—Lawrence and Morgan Counties.

Robert R. Berryman Box 573, Town Creek

Third Senatorial District—Blount, Cullman and Winston Counties.

Elwood Rutledge P. O. Box 169, Haleyville

Fourth Senatorial District—Madison County.

Billy Laxson West Side Square, Huntsville

Fifth Senatorial District—Jackson and Marshall Counties.

D. Donald Word P. O. Box 282, Scottsboro

Sixth Senatorial District—Etowah and St. Clair Counties.

James Ray Wyatt Ashville

Seventh Senatorial District—Calhoun County.

A. C. Shelton Jacksonville

Eighth Senatorial District—Talladega County.

G. Kyser Leonard 516 North St., Talladega

Ninth Senatorial District—Chambers and Randolph Counties.

W. C. (Bill) Hines LaFayette

Tenth Senatorial District—Elmore and Tallapoosa Counties.

Upshaw G. Jones Wetumpka

Eleventh Senatorial District—Tuscaloosa County.

Ryan deGraffenried 1001 First National Bank Building,
Tuscaloosa

Twelfth Senatorial District—Fayette, Lamar and Walker Counties.

Woodrow Wilson Roberts Fayette

ROSTER OF THE SENATE OF ALABAMA—Continued**Thirteenth Senatorial District—Jefferson County.**

Lawrence (Larry) Dumas.....1414 Brown-Marx Building
Birmingham

Fourteenth Senatorial District—Pickens and Sumter Counties.

Aubrey D. Green.....York

Fifteenth Senatorial District—Autauga, Chilton and Shelby Counties.

Joe W. Graham.....Box 163, Maplesville

Sixteenth Senatorial District—Lowndes County.

Carl G. Golson.....Fort Deposit

Seventeenth Senatorial District—Butler, Conecuh and Covington Counties.

R. G. Kendall, Jr.....Evergreen

Eighteenth Senatorial District—Bibb and Perry Counties.

Norman R. Crawford.....Marion

Nineteenth Senatorial District—Choctaw, Clarke and Washington Counties.

Dennis Porter.....Chatom

Twentieth Senatorial District—Marengo County.

E. O. Eddins.....Demopolis

Twenty-First Senatorial District—Baldwin, Escambia and Monroe Counties.

Douglas S. Webb.....P. O. Box 142, Atmore

Twenty-Second Senatorial District—Wilcox County.

Roland Cooper.....Camden

Twenty-Third Senatorial District—Dale and Geneva Counties.

Rufus Barnett.....327 Magnolia St., Ozark

Twenty-Fourth Senatorial District—Barbour County.

James S. (Jimmy) Clark.....Eufaula

Twenty-Fifth Senatorial District—Coffee, Crenshaw and Pike Counties.

Alton L. Turner.....Luverne

Twenty-Sixth Senatorial District—Bullock and Macon Counties.

L. K. (Snag) Andrews.....Union Springs

Twenty-Seventh Senatorial District—Lee and Russell Counties.

Yetta G. Samford, Jr.....P. O. Box 272, Opelika

ROSTER OF THE SENATE OF ALABAMA—Continued

Twenty-Eighth Senatorial District—Montgomery County.	
Vaughan Hill Robison	1532 Dunbar Ave., Montgomery
Twenty-Ninth Senatorial District—Cherokee and DeKalb Counties.	
George E. Godfrey	Jamestown
Thirtieth Senatorial District—Dallas County.	
Walter C. Givhan	Safford
Thirty-First Senatorial District—Colbert, Franklin and Marion Counties.	
Hugh Moses	Hamilton
Thirty-Second Senatorial District—Greene and Hale Counties.	
W. F. Wilson	Havana
Thirty-Third Senatorial District—Mobile County.	
Will G. Caffey, Jr.	P. O. Box 388, Mobile
Thirty-Fourth Senatorial District—Clay, Cleburne and Coosa Counties.	
John E. Gaither	Heflin
Thirty-Fifth Senatorial District—Henry and Houston Counties.	
Carl S. Farmer	Abbeville

**ROSTER OF THE HOUSE OF REPRESENTATIVES OF
ALABAMA****First Extraordinary Session 1961****OFFICERS**

Virgis M. Ashworth, <i>Speaker</i>	Centreville
Ira D. Pruitt, <i>Speaker Pro Tem</i>	Livingston
Oakley Melton, Jr., <i>Clerk</i>	Montgomery
David W. Crosland, <i>Assistant Clerk</i>	Montgomery
Richard C. Belser, <i>Reading Clerk</i>	Montgomery

MEMBERS OF THE HOUSE

Autauga—E. A. (Bud) Grouby	Prattville
Baldwin—L. W. Brannan, Jr.	Foley

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

Barbour—Place No. 1—Sim A. Thomas	Eufaula
Place No. 2—McDowell Lee	Clio
Bibb—Virgis M. Ashworth	Box 381, Centreville
Blount—W. P. Gordon	Box 361, Oneonta
Bullock—Place No. 1—M. B. McLendon	Box 247, Union Springs
Place No. 2—J. B. Powell	Box 387, Union Springs
Butler—Place No. 1—F. LaMont Glass	845 Ft. Dale Rd., Greenville
Place No. 2—H. B. Taylor	Box 278, Georgiana
Calhoun—Place No. 1—Woodrow Albea	1001 Commercial National Bank Bldg., Anniston
Place No. 2—Hugh D. Merrill	Box 1486, Anniston
Chambers—Place No. 1—Roy W. McClendon	Shawmut
Place No. 2—Charles Reynolds	Lanett
Cherokee—Ralph A. Meade	Cedar Bluff
Chilton—Francis W. Speaks	Box 535, Clanton
Choctaw—Charlie E. Ford	Butler
Clarke—Place No. 1—Joe C. McCorquodale, Jr.	Jackson
Place No. 2—Kimbrough C. Dunn	Thomasville
Clay—Kenneth F. Ingram	Ashland
Cleburne—John S. Casey	Box 266, Heflin
Coffee—Drexel Cook	Elba
Colbert—Kenneth H. Bishop	Route 2, Cherokee
Conecuh—Wiley Salter	Evergreen
Coosa—Charles R. Franklin	Goodwater
Covington—Fletcher Jones	Box 928, Andalusia
Crenshaw—Guy Owens	Luverne
Cullman—John J. Guthrie	Route 3, Cullman
Dale—Henry B. Steagall, II	Box 226, Ozark
Dallas—Place No. 1—M. D. (Pete) Gilmer	Marion Junction

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

Place No. 2—Frank Hardy	Route 6, Box 300, Selma
Place No. 3—B. V. Hain	Box 155, Selma
DeKalb—Robert E. Harris	2900 Alabama Ave., S. W., Fort Payne
Elmore—Place No. 1—Leonard Johnston	Wetumpka
Place No. 2—Hardaway Johnson	Eclectic
Escambia—Hugh Rozelle	Bank of Atmore Building, Atmore
Etowah—Place No. 1—Buford L. Copeland	524 Chestnut St., Gadsden
Place No. 2—E. K. Hanby	403 Noojin Building, Gadsden
Fayette—James A. Branyon, II	Box 600, Fayette
Franklin—W. E. Oden	402 High Street, Russellville
Geneva—Roland R. Faulk	Samson
Greene—W. L. Martin, Jr.	Eutaw
Hale—Place No. 1—Richard M. Avery	Greensboro
Place No. 2—Charles H. Ramey	Akron
Henry—Place No. 1—Emory R. ("Em") Solomon	Headland
Place No. 2—W. Ralph Chambers	Route 1, Columbia
Houston—Charles H. Adams	Box 975, Dothan
Jackson—Place No. 1—W. Wallace Gross	Scottsboro
Place No. 2—Bernard Cabiness	516 S. Houston, Scottsboro
Jefferson—J. K. (Jess) Edwards	3612 Huntsville Ave., Brighton
John H. Hawkins, Jr.	1841 Montclair Drive, Birmingham
Hugh A. Locke, Jr.	923 Frank Nelson Bldg., Birmingham
Hugh Morrow, III	214 Woodward Bldg., Birmingham 3
Walter Emmett Perry, Jr.	610 Frank Nelson Bldg., Birmingham
Holt Rast	Box 1491, Birmingham
Tram Sessions	The Liberty National Life Ins. Co. Bldg., Birmingham

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

Lamar—Jack Hankins.....	Vernon
Lauderdale—Place No. 1—Robert H. Broadfoot.....	302 W. Alabama St., Florence
Place No. 2—Charles G. Long.....	Box 297, Florence
Lawrence—Bruce W. Dodd.....	Route 3, Moulton
Lee—Place No. 1—C. C. Torbert, Jr.....	Opelika
Place No. 2—Pete Turnham.....	606 Moore Mill Road, Auburn
Limestone—Granville N. Turner.....	Route 2, Toney
Lowndes—Place No. 1—Robert S. Dickson, Jr.....	Lowndesboro
Place No. 2—A. J. (Jack) Brooks.....	Box 46, Fort Deposit
Macon—Grady Rogers.....	Route 1, Tuskegee
Madison—Place No. 1—N. L. (Luke) Reynolds.....	2225 California St., Huntsville
Place No. 2—Roscoe Roberts, Jr.....	Terry-Hutchens Bldg., Huntsville
Marengo—Place No. 1—V. Buren Daniel.....	Nanafalia
Place No. 2—Charles B. Grant, Jr.....	RFD, Demopolis
Marion—John “Pete” Self.....	Box 597, Hamilton
Marshall—Olin C. Hearn.....	Box 31, Albertville
Mobile—Place No. 1—John A. Murphy.....	817 First Nat’l. Bank Bldg., Mobile
Place No. 2—Mylan R. Engel.....	610 Van Antwerp Bldg., Mobile
Place No. 3—C. M. A. (Max) Rogers, III.....	Box 1070, Mobile
Monroe—Ralph L. Jones.....	Monroeville
Montgomery—Place No. 1—Alfred W. Goldthwaite.....	26 So. Perry St., Montgomery
Place No. 2—O. J. (Joe) Goodwyn.....	325 Bell Bldg., Montgomery
Place No. 3—George F. (Bubber) Bailey.....	2144 Meadow Lane Drive, Montgomery
Place No. 4—J. J. (Junie) Pierce.....	2038 Myrtlewood Drive, Montgomery

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

Morgan—Place No. 1—Albert P. Brewer Box 1487, Decatur
 Place No. 2—Bob Gilchrist 504 Short Street, Hartselle

Perry—Place No. 1—Roy A. Barnett Marion
 Place No. 2—T. R. Long Uniontown

Pickens—Ulie B. Sullivan Carrollton

Pike—Place No. 1—L. Gardner Bassett ... 206 Orange St., Troy
 Place No. 2—W. J. Sorrell Troy

Randolph—J. M. Jenkins Box 384, Roanoke

Russell—Place No. 1—Homer W. Cornett ... Box 88, Phenix City
 Place No. 2—Joseph W. Smith Box 464, Phenix City

St. Clair—R. Rush (Doc) Smith Ashville

Shelby—John Lewis Cates Columbiana

Sumter—Place No. 1—Jesse E. Harvey Cuba
 Place No. 2—Ira D. Pruitt Livingston

Talladega—Place No. 1—Bill Nichols Sylacauga
 Place No. 2—Ashley L. Camp, Jr. Box 491, Talladega

Tallapoosa—Place No. 1—William D. Vickers Rt. 3,
 Alexander City
 Place No. 2—J. T. (Tom) Johnson Route 1, Notasulga

Tuscaloosa—Place No. 1—A. K. (Temo) Callahan ... 913 First
 Nat'l. Bank Bldg., Tuscaloosa
 Place No. 2—Arthur Louis Ferguson ... 2805 16th Avenue,
 Northport

Walker—Place No. 1—Alonzo Shumate Box 63, Jasper
 Place No. 2—Tom Bevill Jasper

Washington—A. D. Britton, Jr. Box 1111, Millry

Wilcox—Place No. 1—Sam C. Nettles, Jr. Arlington
 Place No. 2—Gregory Oakley Pine Apple

Winston—H. E. (Pete) Ray Haleyville

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JOURNAL
OF THE
HOUSE
OF THE
STATE OF ALABAMA
Extraordinary Session of 1962

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, JUNE 12, 1962



WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

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**JOURNAL
OF
HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA
EXTRAORDINARY SESSION, 1962**

FIRST DAY

**House of Representatives
Montgomery, Alabama
Tuesday, June 12, 1962**

Be it remembered that on the 5th day of June, 1962, His Excellency, John Patterson, Governor of the State of Alabama, issued his proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

**A PROCLAMATION
BY THE
GOVERNOR**

*** * ***

WHEREAS, there exists an emergency situation in the State of Alabama which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Section 122 of the Constitution of Alabama of 1901:

NOW, THEREFORE, I, John Patterson, as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the Seat of Government at the State Capitol in Montgomery, Alabama, at 12:00 o'clock Noon on Tuesday, June 12, 1962, to consider the following matter:

1. Reapportionment of the seats of the Legislature of the State of Alabama.

IN WITNESS WHEREOF I have hereunto set my hand as Governor of the State of Alabama and have caused the Great Seal to be affixed,

and caused this proclamation to be attested by the Secretary of State, at the Capitol, in the City of Montgomery, on this the 5th day of June, 1962.

JOHN PATTERSON,
GOVERNOR

ATTEST:

BETTYE FRINK
Secretary of State

In pursuance whereof, at the hour of 12 M., on Tuesday the 12th day of June, 1962, the Representatives in the Legislature of Alabama assembled in the Hall of the House of Representatives.

The House was called to order by Hon. Virgis M. Ashworth, Speaker of the House of Representatives.

PRAYER

The session was opened with prayer by the Reverend Mark E. Waldo, Rector, Church of the Ascension, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards	Johnson (J. T. Tom)	Pruitt
Adams	Engel	Johnston (Leonard)	Ramey
Albea	Fauik	Jones (Covington)	East
Avery	Ferguson	Jones (Monroe)	Ray
Bailey	Franklin	Lee	Reynolds (Chambers)
Barnett	Gilchrist	Locke	Reynolds (Madison)
Bassett	Gilmer	Long (Lauderdale)	Roberts
Bevill	Glass	Long (Perry)	Rogers (Macon)
Bishop	Goldthwaite	McClendon (Chambers)	Salter
Brannan	Goodwyn	McCorquodale	Self
Branyon	Gordon	McLendon (Bullock)	Sessions
Britton	Grant	Martin	Shumate
Broadfoot	Gross	Meade	Smith (Russell)
Cabiness	Grouby	Merrill	Smith (St. Clair)
Callahan	Guthrie	Morrow	Solomon
Camp	Hain	Murphy	Speaks
Casey	Hanby	Nettles	Steagall
Cates	Hankins	Nichols	Sullivan
Chambers	Hardy	Oakley	Taylor
Cook	Harris	Oden	Thomas
Copeland	Harvey	Owens	Torbert
Cornett	Hawkins	Perry	Turner
Daniel	Hearn	Pierce	Turnham
Dodd	Ingram	Powell	Vickers
Dunn	Jenkins		

—98

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Jones (Monroe) leave of absence was granted to Mr. Rozelle because of personal illness.

RESIGNATION OF HUNTER PHILLIPS
HOUSE OF REPRESENTATIVES
MONTGOMERY, ALABAMA

Butler, Alabama
September 25, 1961

Honorable John Patterson
State Capitol
Montgomery, Alabama

Dear Governor Patterson:

Following up our conversation of the 15th, with reference to my election as Tax Assessor of Choctaw County, I will assume the duties of this office on October 1st, which makes it necessary for me to resign my position as a member of the House of Representatives.

I have enjoyed working with you and serving as a Member of the House. While I regret to give up my position as a Member of the 1959-1962 Legislature I shall appreciate it if you will accept my resignation from this body effective at the close of business on September 30th, 1961.

When I can be of service to you I shall be glad for you to call upon me.

Sincerely your friend,
HUNTER PHILLIPS

HP:imp

c.c.

Hon. Sam Engelhardt
Montgomery, Ala.

Hon. A. H. Evans, Jr.
Butler, Ala.

Hon. Bettye Frink
Montgomery, Ala.

Hon. Richard E. McPhearson
Butler, Ala.

RESIGNATION OF CHARLES S. TRIMMIER
WESTERN UNION

MOBILE, ALABAMA
OCTOBER 4, 1961

HONORABLE JOHN PATTERSON

GOVERNOR OF ALABAMA

STATE CAPITOL MONTGOMERY ALA

PLEASE CONSIDER THIS TELEGRAM AS OFFICIAL NOTICE OF MY RESIGNATION EFFECTIVE THIS DATE FROM PLACE NBR THREE OF MOBILE COUNTY'S LEGISLATIVE DELEGATION IN THE HOUSE OF REPRESENTATIVES. IT HAS BEEN A PRIVILEGE TO SERVE IN THIS CAPACITY IN THE NAME OF THE PEOPLE OF MOBILE COUNTY.

(SIGNED) CHARLES S. TRIMMIER CITY HALL MOBILE.

RESIGNATION OF A. L. (PAT) BOYD
HOUSE OF REPRESENTATIVES
MONTGOMERY, ALABAMA

January 6, 1962

The Honorable John Patterson
Governor
State of Alabama
Montgomery, Alabama.

Dear Governor Patterson:

I herewith respectfully tender my resignation as Member of the House of Representatives, Place No. 2—Pike County in the Alabama Legislature.

It has been a great honor and privilege to me to have been permitted to represent the fine people of my County and State in the Legislature.

I am also indeed grateful for the opportunity of serving during the Patterson Administration, and it is a matter of deep pride to me to have been a member of your legislative team. The people of Alabama, for generations to come, will derive lasting benefits from the splendid achievements of your able Administration.

Thanking you, and the members of your Staff and Cabinet for the many courtesies and favors extended my County, my constituents, and to me personally, and with every good wish, I am

Sincerely,
A. L. PAT BOYD

alb/cl

CERTIFICATES OF ELECTIONS
The State of Alabama
DEPARTMENT OF STATE

I, Bettye Frink, Secretary of State, of the State of Alabama, having custody of the Great and Principal Seal of said State, do hereby certify that in accordance with provisions of Amendment Number XCVII to the Alabama Constitution of 1901 CHARLIE E. FORD was unopposed in his candidacy for Member of the House of Representatives from Choctaw County and is the duly elected Member of the House of Representatives from Choctaw County. I further certify that no election will be required to be held pursuant to the Proclamation by Governor John Patterson on September 29, 1961.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in the City of Montgomery, this Thirteenth day of October One Thousand Nine Hundred and Sixty-one.

BETTYE FRINK
Secretary of State

SEAL

The State of Alabama
DEPARTMENT OF STATE

I, Bettye Frink, Secretary of State, of the State of Alabama, having custody of the Great and Principal Seal of said State, do hereby certify

that in accordance with provisions of Amendment Number XCVII to the Alabama Constitution of 1901, C. M. A. Rogers, III was unopposed in his candidacy for Member of the House of Representatives from Mobile County, Place No. 3, and is the duly elected Member of the House of Representatives from Mobile County, Place No. 3. I further certify that no election will be required to be held pursuant to the Proclamation by Governor Patterson on October 19, 1961.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in the City of Montgomery, this 14th day of November One Thousand Nine Hundred and Sixty-one.

BETTYE FRINK
Secretary of State

The State of Alabama

DEPARTMENT OF STATE

I, Bettye Frink, Secretary of State, of the State of Alabama, having custody of the Great and Principal Seal of said State, do hereby certify that in accordance with the provisions of Amendment Number XCVII to the Alabama Constitution of 1901 W. J. SORRELL was unopposed in his candidacy for Member of the House of Representatives from Pike County and is the duly elected Member of the House.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in the City of Montgomery, this FOURTH day of May One Thousand Nine Hundred and Sixty-two.

BETTYE FRINK
Secretary of State

OATH OF OFFICE

The oath of office prescribed by the Constitution of the State of Alabama was then administered by Hon. Pelham J. Merrill, Associate Justice of the Supreme Court of Alabama, to Hon. Charlie E. Ford, Member of the House of Representatives from Choctaw County, and to Hon. C. M. A. Rogers, III, Member of the House of Representatives from Mobile County, Place No. 3, and to Hon. W. J. Sorrell, Member of the House of Representatives from Pike County.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Pruitt:

H. R. 1. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that the Clerk of the House advise the Senate that the House is now in session and is ready for the transaction of public business.

On motion of Mr. Pruitt the rules were suspended and H. R. 1 was adopted.

Also:

By Mr. Pruitt:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of five, consisting of two members on the part of the Senate to be appointed by the presiding officer of the Senate and three members on the part of the House to be appointed by the Speaker of the House, be named to wait upon the Governor of Alabama and inform him that the Legislature of Alabama is in session and is ready for the transaction of public business.

BE IT FURTHER RESOLVED that a joint session of the House and Senate be held at 12:30 P.M. today for the purpose of hearing an address by the Honorable John Patterson, Governor of Alabama.

BE IT FURTHER RESOLVED that the above Committee wait upon the Governor and advise him that the two Houses will meet in joint session at 12:30 P.M., and to escort him to the House for such speech.

On motion of Mr. Pruitt the rules were suspended and H. J. R. 2 was adopted.

And the Speaker named as a committee on the part of the House Messrs. Hanby, Pierce and Cornett.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed to notify the House of Representatives that the Senate is now in Session and ready for the transaction of public business.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 2. Relative to a Joint Session of the two Houses today at 12:30 P.M. for the purpose of hearing an address by the Honorable John Patterson, Governor of Alabama.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Wilson and Word.

J. E. SPEIGHT,
Secretary

JOINT SESSION

The hour of 12:30 o'clock P.M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in

the Hall of the House of Representatives, in accordance with House Joint Resolution No. 2 heretofore adopted, for the purpose of hearing an address by the Honorable John Patterson, Governor of the State of Alabama.

The joint session was called to order by the Honorable Albert Boutwell, Lieutenant Governor and Presiding Officer of the Senate.

GOVERNOR'S MESSAGE

His Excellency, John Patterson, Governor of the State of Alabama, appeared before the joint session and delivered in person the following message.

Lt. Governor Boutwell, Mr. Speaker, Members of the Joint Session of the Alabama Legislature:

I am honored to address you again today, and as Governor I officially welcome you to the State Capitol for this Special Session. I bring good tidings to each of you, and I commend you for the outstanding record this Legislature has already made. I believe it will go down in history as one of Alabama's greatest Legislatures.

In your two Regular Sessions and three previous Special Sessions, you have initiated and supported a large number of progressive, forward-looking programs which have benefited our State and its citizens. I am proud of these measures, since such legislation reflects credit not only upon this Legislature but also upon our administration.

At the present time, we are building more, better and safer roads than ever before. We are engaged in the largest school-building program in our history. We are steadily improving the quality of public education. We have enlarged our mental health and public assistance programs. We have embarked on the State's first medical care plan, which is being expanded this month to afford 30 days of free hospitalization each year for both old age pensioners and indigent non-pensioners. Beginning next month, pensioners in nursing homes can draw benefits of as much as \$175 a month. Old age pension payments set new records almost every month.

More new business and industry is coming to Alabama, creating in excess of 40,000 new jobs since we took office. We are developing our rivers and waterways and constructing a modern system of inland docks. We are constantly adding new public lakes, picnic grounds, boat-launching sites and hunting areas, and more tourists are visiting our State. We continue to enjoy good law enforcement. More of our citizens have good jobs and are earning more money.

From all indications, we have "good times" ahead in Alabama.

Your State government is in sound financial condition; we have a surplus in the State Treasury; and we are operating on a balanced budget as required by law. Tax collections in the Revenue Department are at an all-time high, and our economic outlook is very encouraging. All our departments are running smoothly and efficiently and are carrying out the numerous State programs in an excellent manner. I have already instructed my cabinet members to begin planning now for an orderly transfer of the State's affairs to the incoming administration next January, and this transition should not slow down or disrupt any important programs or services.

I appreciate the assistance this Legislature has given me and my administration, and I am grateful to you for your interest in good government and the spirit of cooperation which you have always demonstrated.

On previous occasions, the Legislature has met in Special Session to consider the urgent needs of education, to authorize a statewide highway program and to provide appropriations for the operation of State government. Once again, we face an urgent matter which is of utmost importance and of grave consequence. After careful consideration and with due regard to the public interest, I have concluded that it was absolutely necessary to call you into extraordinary session at this time. The problem at hand, of course, involves the apportionment of the seats of this Legislature.

On your desks, you have a copy of my Proclamation calling you into this Special Session. The need for reapportionment is of such urgency, in my opinion as Governor, that it constitutes an emergency. This is not the first time for this matter to come before you, and I ask you to give serious and immediate consideration to the problem of reapportionment in this Session. I call on you now to enact the necessary measures to reapportion the State Legislature so as to give every person in Alabama, no matter where he may live, a fair voice in his government.

In my Message to you at the opening of the Regular Session of 1959, I recommended a reapportionment measure ahead of all other legislation, save education. I said at that time:

As all of us know, the Alabama Constitution requires the Legislature to reapportion its membership on a population basis every 10 years. It is to the dismay of a majority of our people that the Legislature has thus far been remiss in this duty. In my campaign for Governor, I strongly advocated a fair reapportionment of the Legislature. My promise to work for this principle was hopefully received by our citizens.

The subcommittee on reapportionment of the Legislative Interim Committee on Revision of Laws reported to and obtained the approval of the whole committee of a bill calling for the necessary constitutional amendments to effect a proper reapportionment of the Legislature.

The dictates of good government, a decent respect for the principles of the democratic process, and the fond hopes of the people for half a century, compel me to earnestly solicit the enactment of this measure.

Again, in my Message at the opening of the Regular Session of 1961, I implored you to carry out your sworn constitutional duty and reapportion your seats. I said in part:

Representation in our Legislature no longer bears any reasonable relationship to population. There exist grossly unfair variations in the number of people a legislator represents, and a large majority of the citizens of Alabama do not have a fair voice in the passage of the laws under which they must live. This problem constitutes a genuine emergency, and it is imperative that you do something about it. The overwhelming majority of the people of Alabama demand that you act.

The reapportionment problem is not peculiar to Alabama, and many other States are experiencing similar difficulty. The courts in the past have consistently refused to attempt to force the Legislatures to comply

with the reapportionment provisions in their State constitutions. However, there are signs that the courts may soon step in and take action. I would regret to see the courts involved in a matter which is purely legislative. We should not give the courts opportunity to tell us to carry out our legal obligation when that duty is so clearly spelled out for us in our own Constitution. ***

Here and now, I urge you to do your duty and enact the necessary measures to reapportion this Legislature. I beseech you to give every Alabamian a fair voice in his government. The constitution demands it. Good conscience demands it. Our democratic system demands it. ***

Unfortunately, neither the 1959 nor 1961 Sessions took affirmative action although one reapportionment measure did garner wide support and came within a few votes of passing the House last year. Previous Legislatures have been just as dilatory in this field. Since 1910, they have chosen to overlook provisions of the Constitution of Alabama providing for mandatory reapportionment after every decennial census. With the passing of each decade, representation has become more out of line with population and the inequities of malapportionment have multiplied, making it that much more difficult and painful to effect a legislative remedy.

At the present time, this Legislature is controlled by about 28 per cent of our citizens. The Senators and Representatives of the other 72 per cent are in the minority. This is undemocratic, to say the least. In some counties, a State Representative may have only 7,000 to 8,000 constituents. In others, he may represent as many as 100,000 persons. Such a variation in representation allows citizens of one county only 1/15th the legislative voice of the citizens of the next county. This is, of course, a flagrant abuse of the legislative process.

On a county-by-county basis, the University of Virginia recently surveyed voting strength in Alabama as compared with population. Classifying all counties of less than 100,000 population as "rural," the university found that Alabama rural counties elect 83 per cent of the House members and 86 per cent of the Senators. Yet, these same counties have only 59 per cent of the people. These comparisons illustrate the inequities of the present apportionment over the State at large.

Alabama is not alone in trying to reckon with the pressing need for reapportionment. Many other States are in the same boat, and several of them are worse off than we are. Vermont, for instance, has not reapportioned its Legislature since 1793. In Maryland, 24 per cent of the population elects 51 per cent of the House and 68 per cent of the Senate membership. The problem, then, is general and it has been brought about by a nationwide migration from farm to city.

Reapportionment will give citizens of every county a fair voice in their Legislature. It will also make our Legislature more representative of the people, more alert to their problems, more responsive to their needs. When every citizen of Alabama is fairly represented in these chambers, it will mean that our State can move ahead with new strength and vitality.

In this Session, you will have no other legislation to consider. Reapportionment is the order of the day, and I know it is a worrisome, many-sided issue. Nevertheless, I am sure you are aware of all aspects of this problem, and I hope you will get down to business without delay. In the

interest of conserving time and money, I urge you to consider meeting in legislative session five consecutive days each week until we work out a solution.

It remains the constitutional duty of the Alabama Legislature to reapportion your seats in fairness and in faith to the people of Alabama. I beseech you to obey our law and do your duty.

Reapportionment takes on added urgency at this time because a shotgun ultimatum from the judicial branch of the Federal government hangs over our heads. Bluntly stated, it stipulates that unless the Legislature enacts a "constitutional" reapportionment bill by July 16th, the Federal courts will proceed forthwith to prepare and order into effect their own version of a reapportionment program. [For text of court order, see Appendix A]

Listen to the language of the court decree:

If the Legislature does not act, or if its action does not meet constitutional standards, then we will be under a clear duty to take some action in time to take effect before the General Election of November, 1962.

In my deliberate judgment, this ultimatum is dictatorial, unwarranted and without any semblance of legal basis under the constitutions of both the United States and the State of Alabama. The apportionment of the Legislature is purely a legislative matter and not a field of action for Federal courts or any courts. In this attempt to regulate and dominate the local affairs of our people, the Federalists are tinkering and meddling with matters that rightly are our business and nobody else's.

I deplore and resent this encroachment—this high-handed attempt to invade the field of local self-government by telling us how to apportion our legislative seats and by arbitrarily imposing a deadline. I know that the members of the Legislature deplore and resent it, and I know too that the people of Alabama deplore and resent it.

This ultimatum, its deadline barely a month off now, stems directly from the recent action of the U. S. Supreme Court, which assumed jurisdiction over apportionment of the Tennessee Legislature. Once again the Supreme Court swept aside all precedents, including a unanimous decision only five years ago. Nowhere in the constitution of our country is there one single word or phrase to justify or validate any such Federal seizure of power or authority.

I want the members of the Legislature and the people of Alabama to know that as long as I am Governor I am not about to yield to Federal whims and ill winds. With every resource at my command, I shall continue to resist all Federal maneuvers to dominate our State affairs and attempts to reduce the State government to the status of a puppet in an all-powerful Federal dictatorship concentrated in Washington.

Nevertheless, as realists, we need to face up to the ominous fact that the Federal government, having long since embarked on a rampant course of centralization, usurpation and control, has no intention to cease and desist. Although the Federal courts are grossly exceeding their authority under the constitution, the stark fact remains that three U. S. judges have stated that they will reapportion the Legislature of Alabama if we do not.

We are now confronted, therefore, with the alternative of either reapportioning the Legislature ourselves or running the risk of the Federal court doing it for us. I believe the people of Alabama will be better served if you, as their elected representatives, do this job. You cannot afford to sit by and permit Federal judges—who are not elected by the people but who serve by appointment for life—to determine how the seats of this Legislature shall be apportioned. You cannot afford, by inaction, to allow a Federal judge who is not answerable to the people to determine what voice your constituents will have in this Legislature.

For your immediate consideration, I recommend to you a two-part legislative "package" to accomplish an equitable reapportionment. Neither measure would take effect until the 1966 elections.

First, I propose a statute fairly reapportioning the Legislature within the present membership—106 Representatives and 35 Senators. At the same time, I suggest you enact a constitutional amendment increasing the membership of the House to 120 members and of the Senate to 40 members. Should this amendment be ratified by the voters, and I believe they would approve it wholeheartedly, it would supersede the statute, rendering it null and void. The statute is necessary, however, in order to have a legislative remedy on the books before the Federal court's July 16th deadline.

In my opinion, the Legislature can be more fairly reapportioned and the interests of our citizens better protected if we increase its size slightly. Such a procedure requires a constitutional amendment. I recognize that it is difficult to ask a member of the Legislature to vote to abolish his own seat or to vote for reduced representation for his county. By increasing the size of the Legislature as I have suggested, this will make it possible for at least three-fifths of the members—the proportion required to pass a constitutional amendment—to support the amendment and still be voting for some increase in representation.

Since a constitutional amendment election cannot be held less than 90 days after adjournment, it is still imperative to enact a bill temporarily reapportioning within the present membership. The necessary bills to accomplish the objectives I have outlined will be introduced and submitted to you for your consideration.

If you choose this course of action and pass these measures, we can point out to the Federal court on July 16th that we have effectively taken the necessary action to reapportion the Alabama Legislature by 1966 whether the Constitutional Amendment is ratified later or not. I do not know, of course, if this action on our part will prevent the Federal court from attempting to immediately reapportion the Legislature just elected. However, I think the legislative approach which I have explained to you is reasonable, and I am hopeful that the court will accept it.

If an attempt were made to reapportion the seats of this Legislature to take effect before the General Election in November, then the result would be confusing and chaotic. There would not be time to hold primary elections before November, and party committees would probably have to hand-pick candidates, which in my opinion is not desirable.

In the Tennessee reapportionment case, Justice Clark of the Supreme Court said he thought the lower court, if it undertook to apportion a State legislature, should make only minor adjustments in representation so as to make it easier for the Legislature to more fully reapportion itself at its next session. The Federal court here has indicated it looks with favor on

Justice Clark's advice. If his advice were followed and the Federal court made only minor changes in our legislative representation—and we have no assurances they would be minor—and left the major job of reapportionment to the Alabama Legislature meeting next year, then the earliest possible date that the Legislature could be fully reapportioned would be 1966. It is my earnest belief that the plan which I have recommended to you will accomplish a reapportionment of the State Legislature in keeping with the time allowed in the opinion of the Federal Court.

After all, reapportionment is a matter which has been pending in this State for at least 50 years. The Supreme Court handed down its decree less than three months ago, and if we take action in this session, I believe Alabama should certainly be given the time necessary to implement our own legislation.

The major reapportionment bill you will be asked to consider is a 40-Senator and 120-Representative amendment similar to the measure which came before you last year. I believe it is fair and equitable. It protects the small and rural counties while at the same time it gives more adequate representation to the larger counties without handing them control of the Legislature. It is imperative that we write a reapportionment bill which protects the interests of the person who lives in the country as well as the person who lives in town.

We all know that to have good roads and good schools in rural areas that these programs must be subsidized, in some measure, by the more populous and wealthier areas of the State. A person who lives in the country, for instance, is entitled to have just as good an education for his child as available to the person who lives in town. This is possible only through a "foundation" program, which is very vital to our State's progress and prosperity.

We must develop all areas of Alabama—both rural and urban, both small and large counties. Reapportionment should not be a sectional fight, but rather a joint effort to strengthen our legislative processes—and at the same time keep the Federal court out. We must be careful not to hand control of the Legislature from the rural areas to the cities. In apportioning the seats of the Legislature, we must provide the necessary votes for the person residing in the rural areas to adequately protect his interests. Now is the time for complete fairness in writing a reapportionment bill—and not merely a switch in the inequities.

I sincerely believe the people of Alabama will approve such a measure. The amendment I propose will have the effect of suspending the present requirement that the Legislature be apportioned on a strict population basis and of also suspending the duty to apportion on the constitutional population formula provided. This suspension would remain in effect until the first day of the 1967 Session, at which time the present constitutional apportionment requirements, apportionment formula and legislative duty to reapportion at stated intervals would again be in force and effect.

This amendment follows a bracket system and provides any county in a given population range equal representation with all other counties within that range. Each county is guaranteed at least one representative, thus protecting the interests of the small counties. Such a plan is reasonable and sensible.

In all your efforts to solve the reapportionment problem, I pledge to you my complete support and cooperation. I am aware of the difficulty

of the problem, and I assure you that I am only interested in doing what is best for the citizens of Alabama. I seek only a fair voice in this Legislature for every person in this State.

Please bear in mind that I am not wedded to any particular bill or plan. Reapportionment bills will be introduced in this session by many legislators. I promise to work side by side with you in this fight. I will assist with all the faculties at my command in the drafting and passage of any measure which will fairly reapportion the seats of this Legislature.

In the name of the citizens of Alabama, I urge you again to enact a fair and equitable reapportionment bill—not because of this overhanging Federal threat but because it is our responsibility and our bound duty; because it is right; because it is long over-due; because our clear course is unmistakably spelled out for us in our own constitution; because the injustices and inequities which for so long have denied many of our Alabama citizens a proper voice in State affairs require and cry out for remedial action, without further delay, in the interest of justice and fair play.

Aside from the fact that we now find ourselves under a Federal siege gun, we need to fulfill, under our own steam and in our own wisdom, our solemn obligation. We need to reapportion our Legislature for the well-being of our great State—and I believe it is imperative that we do it now, under the clear mandate of our own constitution.

I did not call this session because of the threats of a Federal court. If I did not conscientiously believe that the Legislature should be reapportioned, then I would never have summoned you just because some Federal judge threatened to meddle in our affairs. As long as I am the Governor of Alabama, no Federal court will be permitted to set the policies of this State. Nevertheless, whether you or I like it or not, if you fail to reapportion this legislature promptly, we will be playing directly into the hands of the Federal court.

Unless we measure up to our responsibilities, reapportion our Senate and House and put our legislative representation in fair and proper focus, we probably will get in July a Federal decree that will not be to our liking or satisfaction.

As for myself, I wish to see our own Alabama Legislature take the initiative. I much prefer the action of our own Legislature to the dictatorial handiwork of a Federal panel, whose members apparently have every reason to believe that their decree, no matter how unworkable or unpalatable, would receive speedy validation from the U. S. Supreme Court.

Gentlemen, it is high time for action. Once again, I appeal to you to do your duty and get the job done. Let's beat the Federals to the draw. Let's be masters of our own household. Let's give every Alabama citizen a fair voice and a fair reapportionment. In this course lies service of the highest order to our State.

This may well be your last chance.

On our labors, jointly and severally, as faithful servants of the people, I invoke the blessings of Almighty God.

Thank you.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

RESOLUTION

The following resolution was introduced:

By Messrs. Cabiness, Gross, Gordon, Sessions and Perry:

H. J. R. 3. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING: That Alabama Highway No. 79, beginning at Scottsboro in Jackson County and extending through Marshall and Blount Counties to Birmingham in Jefferson County, is hereby designated and shall be known as "The Albert Boutwell Highway" in honor of Albert Boutwell who served his State with honor and distinction as a member of the Senate and as Lieutenant-Governor.

BE IT FURTHER RESOLVED, That the State Highway Department is authorized and directed to cause to be erected and maintained at all times along the highway route herein described, appropriate signs or markers indicating that such highway is "The Albert Boutwell Highway."

On motion of Mr. Cabiness the rules were suspended and H. J. R. 3 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Eddins:

S. J. R. 1. WHEREAS upon passage of House Joint Resolution Act No. 770 approved September 11, 1951 it was the intention of the Legislature that the employees, who were employed under said resolution, would conform to the definition of "Employee" under Act No. 515 of the 1945 Legislature and would be eligible for coverage in the Employees' Retirement System of Alabama, Now therefore

BE IT RESOLVED by the Legislature of Alabama, both Houses thereof concurring, that such employees as were employed under said resolution shall be eligible for coverage in the Employees' Retirement System of Alabama as other employees of the State are covered and that beginning with the employment following passage of said Act No. 770, such employees shall make contributions to the Employees' Retirement System

of Alabama as required by the Acts creating the Retirement System and shall receive credit for any service subsequent to passage of said Act No. 770 upon certification of such service by the Clerk of the House and the Secretary of the Senate to the Employees' Retirement System of Alabama.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Goodwyn the rules were suspended and the House concurred in and adopted the S. J. R. 1 set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Cornett:

H. J. R. 4. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Friday, June 15, 1962.

On motion of Mr. Cornett the rules were suspended and H. J. R. 4 was adopted.

Also:

By Messrs. Perry, Sessions, Rast, Morrow and Edwards:

H. J. R. 5. WHEREAS, John A. Jenkins, of Birmingham, Alabama, is a candidate for the high office of Junior Vice Commander-in-Chief of the Veterans of Foreign Wars of the United States, at its convention to be held in August, 1962 in the City of Minneapolis, Minnesota, and

WHEREAS, the said John A. Jenkins has been an active member of the Veterans of Foreign Wars in the City of Birmingham where he served as Commander of his Post performing many tasks of civic and community-building nature, in addition to his work in behalf of the veteran, and

WHEREAS, the said John A. Jenkins was Commander of the Veterans of Foreign Wars, Department of Alabama, during the year 1954 and 1955, performing outstanding services in behalf of the veteran and in behalf of the V. F. W., serving as Commander with dignity, intelligence and ability, and

WHEREAS, John A. Jenkins has been for many years an outstanding trial lawyer in the City of Birmingham, a former City Judge, a City Attorney and an Instructor in the Birmingham School of Law, and

WHEREAS, John A. Jenkins is a member of the Board of Directors of the State Anti-Tuberculosis Association, a member of the Selective Service Board of Appeals for the Northern District of Alabama and a former member of the State Board of Veteran Affairs, President of the Alumni Association of The Marion Institute and an Arbitrator acceptable

to management and labor approved by the Federal Mediation and Conciliation Service.

NOW, THEREFORE, BE IT RESOLVED by the Legislature of the State of Alabama, in a Special Session assembled, that we endorse the candidacy of John A. Jenkins for the high office of Junior Vice Commander-in-Chief of the Veterans of Foreign Wars and recommend him in every possible way to the citizens of other states and offer our assistance to him in his campaign for this high office.

BE IT FURTHER RESOLVED that a copy of this Resolution be circulated among the proper officers of the Veterans of Foreign Wars of the Southern states.

On motion of Mr. Perry the rules were suspended and H. J. R. 5 was adopted.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Torbert, Grouby, Turnham, Harris and Cornett:

H. 1. To fix the number of representatives in the legislature and apportion them among the several counties; amending Code of Alabama 1940, Title 32, Section 1.

Judiciary.

By Messrs. Torbert, Grouby, Turnham, Harris and Cornett:

H. 2. To propose a constitutional amendment relating to an apportionment of the Senate of the legislature.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Mr. Grouby:

H. 3. To amend further Code of Alabama 1940, Title 13, Section 112, so as to create the 34th judicial circuit.

State Administration.

By Mr. Grouby (With Notice and Proof):

H. 4. To provide further for election of the chairman and members of the board of education of Autauga County.

Local Legislation No. 1.

Notice and Proof H. 4:

A BILL
TO BE ENTITLED
AN ACT

To provide further for election of the chairman and members of the board of education of Autauga County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. A member of the board of education of Autauga County shall be nominated and elected by the qualified electors of each of the several school districts of the county for such terms as are provided by Act No. 194, H. 519, approved September 30, 1959 (Acts 1959, p. 730); and at the expiration of the term of the incumbent board chairman, the members of the board shall elect a chairman from among their own number, to hold office for such term as the board may prescribe.

Section 2. The provisions of Act No. 194, H. 519, approved September 30, 1959, which conflict with this Act are hereby repealed. All other laws or parts of laws in conflict with this Act are also repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Walker Flournoy, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, 1962, May 17, 1962, May 24, 1962 and May 31, 1962.

WALKER FLOURNOY

Sworn to and subscribed before me June 11, 1962.

EFFIE A. CARTER,
Title Notary.

By Messrs. Smith (Russell), Ramey, Turner, Engel, Grouby, Nichols, Ingram and Casey:

H. 5. To make an additional appropriation for payment of expenses of the Legislature.

Ways and Means.

By Messrs. Albea and Merrill (With Notice and Proof):

H. 6. To make an appropriation from the county treasury of Calhoun County for the relief of M. S. Nelson.

Local Legislation No. 1.

Notice and Proof H. 6:

STATE OF ALABAMA
COUNTY OF CALHOUN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation from the county treasury of Calhoun County for the relief of M. S. Nelson.

Preamble

On the night of April 29, 1960, the office of the Calhoun County Court in the courthouse in Anniston, was forcibly entered and the cash drawer forced open and burglarized of \$540.70 in cash, all of which sum was public funds. On the morning of April 30, M. S. Nelson, Clerk of said court, discovered said robbery on arrival at the office and notified the city detectives, who after investigation, have discovered no clues to said burglary.

WHEREAS, M. S. Nelson is held personally responsible under the law for all monies received through the clerk office and has paid the deficiency from his personal funds which sum is not subject to reimbursement or recovery at law.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The sum of \$540.70 is hereby appropriated from the treasury of Calhoun County to reimburse M. S. Nelson for the personal loss sustained by him by reason of the burglary of public funds for which he was responsible. The county commission, board of revenue or other like governing body of Calhoun County is hereby directed to draw or cause a warrant to be drawn on the county treasury in favor of said M. S. Nelson for the amount herein appropriated.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ralph W. Callahan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 18-25, June 1-8, all in the year 1962.

RALPH W. CALLAHAN

Sworn to and subscribed before me June 11, 1962.

L. JEAN WILKINSON,
Title Notary Public.

By Messrs. Albea and Merrill (With Notice and Proof):

H. 7. To authorize the City of Anniston, Alabama, to sell to Alabama Society for Crippled Children & Adults, a corporation, for its reasonable market value the following described real property, to-wit:

Beginning at the northeast corner of the intersection of Walnut Avenue with Thirteenth Street in the City of Anniston, Alabama; thence north along the east boundary line of Walnut Avenue a distance of 100 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street a distance of 50 feet to a point; thence south and parallel with the east boundary line of Walnut Avenue a distance of 40 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street, to a point on the west boundary line of Moore Avenue; thence south along the west boundary line of Moore Avenue a distance of 60 feet to its point of intersection with the north boundary line of Thirteenth Street; thence west along the north boundary line of Thirteenth Street a distance of 150 feet to the point of beginning, said property being situated in the City of Anniston, Calhoun County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 7:

LEGAL NOTICE

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama of 1901 that application will be made to the next session of the Legislature of Alabama for the enactment of a local law the substance of which is as follows:

A BILL TO BE ENTITLED AN ACT

To authorize the City of Anniston, Alabama, to sell to Alabama Society for Crippled Children & Adults, a corporation, for its reasonable market value the following described real property, to-wit:

Beginning at the northeast corner of the intersection of Walnut Avenue with Thirteenth Street in the City of Anniston, Alabama; thence north along the east boundary line of Walnut Avenue a distance of 100 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street a distance of 50 feet to a point; thence south and parallel with the east boundary line of Walnut Avenue a distance of 40 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street to a point on the west boundary line of Moore Avenue; thence south along the west boundary line of Moore Avenue; a distance of 60 feet to its point of intersection with the north boundary line of Thirteenth Street; thence west along the north boundary line of Thirteenth Street a distance of 150 feet to the point of beginning, said property being situated in the City of Anniston, Calhoun County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The City of Anniston, Alabama, is hereby authorized and empowered, at the discretion of the Board of Commissioners of said City, to sell to the Alabama Society for Crippled Children & Adults, a corporation, for its reasonable market value the following described property situated in the City of Anniston, Alabama, to-wit:

Beginning at the northeast corner of the intersection of Walnut Avenue with Thirteenth Street in the City of Anniston, Alabama; thence north along the east boundary line of Walnut Avenue a distance of 100 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street a distance of 50 feet to a point; thence south and parallel with the east boundary line of Walnut Avenue a distance of 40 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street to a point on the west boundary line of Moore Avenue; thence south along the west boundary line of Moore Avenue a distance of 60 feet to its point of intersection with the north boundary line of Thirteenth Street; thence west along the north boundary line of Thirteenth Street a distance of 150 feet to the point of beginning, said property being situated in the City of Anniston, Calhoun County, Alabama.

Section 2. In the event the said Alabama Society for Crippled Children & Adults ceases using the building located on the above described property for a vocational rehabilitation workshop, then title to the hereinabove described property is to revert to the City of Anniston, Alabama.

Section 3. This Act shall take effect upon its passage and approval by the Governor or upon its otherwise becoming law.

Personally appeared before me Ralph W. Callahan, who being duly sworn, makes oath that he is General Manager of The Anniston Star, a daily newspaper published in Anniston, Alabama, and that the attached notice was published on the following dates: May 19-26, June 2-9, 1962.

RALPH W. CALLAHAN

Sworn to and subscribed before me this 11 day of June 1962.

LOLA J. BRIGHT,
Notary Public.

By Messrs. Albea and Merrill (With Notice and Proof):

H. 8. To establish an inferior court to be called the Intermediate Civil Court of Calhoun County, Alabama; to provide for the judge, clerks and other officers, their selection and duties; to provide for the jurisdiction, practice and procedure of said court; to provide for the transfer of causes from said court to the circuit court; and to provide for appeals from said court and regulate the manner of taking same.

Local Legislation No. 1.

Notice and Proof H. 8:

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To establish an inferior court to be called the Intermediate Civil Court

of Calhoun County, Alabama: to provide for the judge, clerks and other officers, their selection and duties; to provide for the jurisdiction, practice and procedure of said court; to provide for the transfer of causes from said court to the circuit court; and to provide for appeals from said court and regulate the manner of taking same.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby established and created an Intermediate Civil Court of Calhoun County, Alabama, which shall have countywide jurisdiction and shall be known and designated as the Intermediate Civil Court of Calhoun County, Alabama. Said court shall be held in a place furnished and designated by the county commission of Calhoun County, Alabama.

Section 2. The judge of the Calhoun County Court shall be ex-officio judge of this court.

Section 3. The clerk and assistant clerks of the Calhoun County Court shall be ex-officio clerk and ex-officio assistant clerks respectively, of this court. The clerk of this court shall give bond as the county commission may require.

Section 4. This court shall have and exercise, for the territory hereinbefore defined, all the jurisdiction and power which now are, or which hereafter may be by law conferred upon the circuit courts, in actions at law, where the amount involved exceeds one hundred dollars but does not exceed three hundred dollars.

Section 5. This court shall not have jurisdiction of criminal offenses and shall not have jurisdiction in equity, and shall not have jurisdiction of suits for libel, slander, assault and battery, ejectment or actions in the nature of ejectment, or workmen's compensation.

Section 6. This court shall not have authority to grant writs of certiorari, supersedeas, quo warranto, mandamus, nor writs of injunction or ne exeat.

Section 7. The judge of this court shall have the power to punish for contempt in all cases where judges of the circuit court of this state can punish for contempt by a fine of not more than fifty dollars and by imprisonment not exceeding five days, either or both.

Section 8. The constable of precinct 15 of Calhoun County and the sheriff of Calhoun County shall be ex-officio officers of said court and shall execute all processes from said court and make return thereof, and shall receive the same fees as are now provided by law for similar services, with respect to processes issuing from the courts of justices of the peace in said county, but the fees of the sheriff shall be covered into the county treasury. All processes in cases may be delivered by the clerk to the sheriff or to the said constable under such rules of the court as the judge may prescribe.

Section 9. The clerk of said court shall issue all processes out of said court, approve all bonds, keep a docket of said court, certify all appeals and perform such other duties as are usually required of clerks of courts. The bailiff's duties for said court shall also be performed by the clerk or one of the deputy sheriffs. The fees and costs that are now allowed by law

to the Calhoun County court, or which may hereafter be allowed by law in the Calhoun County court, shall be taxed and collected and paid into the county treasury or as otherwise provided by law.

Section 10. The practice, procedure, judgments and records in this court shall conform to and be governed by the laws applicable to practice and procedure in justice of the peace courts insofar as applicable and except as otherwise provided in this Act. All judgments required to be signed shall be signed by the judge. Judgments and the records thereof shall not be required to be more formal than those in courts of justices of the peace and shall be governed by the same laws as judgments in the courts of justices of the peace. Every intendment is in favor of the sufficiency and validity of proceedings in this court, when brought in question either directly or collaterally in any of the courts of this state where it appears on the face of the proceedings that this court had jurisdiction of the subject matter and the parties.

Section 11. The owner of any judgment of this court may file a certificate of same in the office of the judge of probate under the same procedure and in the same manner as is now or may hereafter be provided for filing certificates of judgments rendered in the circuit court, which judgments when so registered shall be a lien on all property of the defendant subject to levy and sale under execution and such lien shall continue for six years from the date of registration and the registration shall be notice to all persons of the existence of a lien and during said period executions or other process to enforce collection of said judgments may issue.

Section 12. The summons must be issued by the clerk of the court, and accompanied by the complaint of the plaintiff or by an endorsement setting forth the cause of action, but a complaint shall be sufficient if it contains such information as is required by law with respect to endorsements on the summons of courts of justices of the peace. The summons must be executed by the constable, sheriff or other officer authorized to serve process by leaving a copy of the summons and complaint, or summons with the cause of action endorsed thereon with the defendant which fact he must return with the process. All garnishments shall be answerable at or before nine o'clock A.M. of the return day of the writ and the court may render a conditional judgment against any garnishee who after proper service of the writ fails to answer at or before such time. No more than three days service of any rule or notice to show cause why a conditional judgment should not be made final shall be necessary in any garnishment proceeding in this court. Service of any notice proper to be made by publication may be perfected by one insertion of the notice and after ten days from the date of publication of any such the party so notified and failing to appear shall be treated as in default. In all garnishment proceedings in said court the court may upon motion of any party in interest and reasonable notice to the party or parties adversely affected not less than three days, and whether the garnishee has answered or not hear and determine the right of exemption of the defendant in garnishment with respect to the monies or property garnished.

Section 13. The judge of the court shall make any and all necessary rules for the conduct of the court and the officers thereof, for the filing and trying of cases, for the distribution and service of the processes of the court and generally with respect to the duties of the various officers of the court in their relations to the court, the authority herein specifically granted not to be construed as limiting authority generally and usually exercised by judges in making and enforcing rules of court.

Section 14. Each calendar month shall constitute a term of said court, except that after ten days from the rendition of a judgment in any

cause the said judgment shall be beyond the jurisdiction and out of the power of the court the same as if the term of the court ended on said tenth day after the rendition of said judgment, but the court shall have the power to set aside, vacate or modify its judgments upon motion made within ten days after the rendition of same, which said motion must be promptly determined. And the court may be open for business and render default or other judgments at any time after nine o'clock in the morning of each day and all processes of the court where no time is otherwise fixed shall be returnable at nine o'clock A.M. of the return day.

Section 15. In cases of emergency the judge of said court may appoint a suitable person to act as special constable without bond except as hereinafter provided; and the person so appointed must perform the same duties and is liable to the same pains and penalties and is entitled to the same fees as regular constables; but such special constable is not authorized to act in any case where the amount in controversy is over one hundred dollars, nor to levy or collect executions, attachments or writs of detinue, unless prior to levying or collection of executions, attachments or writs of detinue he executes a bond in the sum of twice the amount of the property to be levied on payable to defendant as required of special constables appointed by justices of the peace, and with securities to be approved by the clerk of the court.

Section 16. All cases in said court shall be tried by the judge of said court without intervention of a jury, the judge determining both the law and facts and any party shall have the right to appeal to the circuit court within ten days from entry of judgment and on appeal either party may demand a trial by jury under the same rules as are provided by law for demand of jury trials in cases of appeal from judgments of justices of the peace and the trial in said circuit court shall be de novo and according to the same procedure as apply to appeals from judgments of justices of the peace.

Section 17. Appeals from judgments of said court to the circuit court in cases of forcible entry and unlawful detainer shall be taken within the same time and in the same manner and upon the same conditions with respect to bonds and surety as are applicable to appeals in like cases from justices of the peace courts.

Section 18. Any party desiring to appeal shall give bond with sureties to be approved by the clerk conditioned to pay all costs which may be taxed against him in the circuit court. If the judgment appealed from is for the payment of money or for the recovery of personal property and the party appealing desires to have the judgment superseded, he shall give bond with securities to be approved by the clerk and payable to the party or parties in whose favor the judgment was rendered and in such penalty as the judge may prescribe conditioned to pay and satisfy such judgment and costs as may be awarded and taxed against him on the trial of the case of the circuit court. All such bonds shall be filed with and approved by the clerk within ten days from the rendition of the judgment from which appeal is taken. This section shall not be applicable to judgments in forcible entry and unlawful detainer cases.

Section 19. Certioraris from judgments of this court may be granted by judges of the circuit court and trials de novo had in the circuit court for the same causes, and upon the same conditions and according to the same procedure as apply to statutory certioraris from judgments of justices of the peace, and all certificates and notices with respect to such certioraris shall be issued by the clerk.

Section 20. It shall be the duty of the county commission or other like governing body of Calhoun County to provide a suitable place in the courthouse for the holding of said court and for the transaction of its business, and furnish all the books, stationery, papers and other office supplies as provided by law for the circuit court and that may be necessary for the operation and maintenance of said court.

Section 21. The ex-officio judge of this court shall not be entitled to vacation or sick leave in addition to that provided for the Calhoun County court judge.

Section 22. It shall be the duty of the clerk to issue an execution on all judgments rendered in said court after ten days from the entry thereof and place the same in the hands of the sheriff, constable, or other officer of the court, who shall return such execution within thirty days thereafter, said return to show that he has collected said judgment and paid the same or the amount collected, or is unable to find property of the person against whom said process issued out of which said execution can be satisfied in whole or in part.

Section 23. If it shall appear to the clerk that in any case where an execution has been returned unsatisfied as to the cost of said cause and in the opinion of the clerk said cost can be collected by an alias execution the clerk may issue such alias execution and may direct the sheriff or constable as to what property can be levied upon to satisfy said judgment.

Section 24. When in any case execution against the defendant is returned "~~No property found~~" ~~execution may issue against the plaintiff~~, in the name of the clerk, for all costs created by him in obtaining his judgment or attempting to collect the same.

Section 25. Neither party to a suit in this court as a matter of right may file interrogatories to be propounded to the opposite party, but for good cause shown, the judge of this court may allow such interrogatories to be propounded, which case the judge shall fix the time in which they shall be answered and the said filing and answering of said interrogatories except as herein provided, shall be governed as far as applicable by practice and procedure of the circuit court, and the same costs shall be taxed and collected with respect to such interrogatories as is provided in the circuit court.

Section 26. The judge of this court shall have the same powers and authority with respect to taxation, retaxation and apportionment of costs as are conferred upon judges of the circuit court.

Section 27. Said ex-officio judge and said court have authority to grant writs of attachment and garnishment.

Section 28. All laws both local and general in conflict with this Act are hereby repealed.

Section 29. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ralph W. Callahan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 21-28, June 4-11, all in the year 1962.

RALPH W. CALLAHAN,

Sworn to and subscribed before me June 11, 1962.

L. JEAN WILKINSON,
Title Notary Public.

By Mr. Albea:

H. 9. Relating to legislative representation; reapportioning the membership of the House of Representatives among the several counties; fixing the number of senators and dividing the State into as many senatorial districts as there are senators; and providing for the nomination and election of the representatives and senators.

Judiciary.

By Mr. Jones (Covington):

H. 10. To amend Title 32, Section 1 and 2, Code of Alabama 1940, so as to provide for reapportionment of representation in the legislature of Alabama pursuant to Article IX of the Constitution; to fix the number of representatives and apportion them among the several counties according to the number of inhabitants in them respectively; to fix the number of senators and divide the State into as many senatorial districts as there are senators.

Judiciary.

By Mr. Cook:

H. 11. To amend Act No. 409, H. 809, approved September 9, 1955, (Acts of Organizational—Special—Regular Sessions 1955, Vol. II, p. 954) which relates to furnishing equipment, supplies, and additional clerks to the tax assessor and the tax collector of counties having a population of not less than 30,700 nor more than 31,400 inhabitants according to the decennial census of the United States of 1950, and having two court houses and a court of county commissioners; Relating to counties having a population not less than 30,000 nor more than 34,000 inhabitants according to the last or any subsequent decennial census of the United States, and having two court houses and a court of county commissioners; providing for the furnishing of additional clerks to the tax assessor and the tax collector of such counties.

Local Legislation No. 1.

By Mr. Steagall:

H. 12. To validate in certain cases elections heretofore held in school

districts, municipalities or counties for the purpose of authorizing any special tax under the Constitution.

State Administration.

By Mr. Steagall:

H. 13. To validate in certain cases elections held in counties for the purpose of authorizing a special tax for public hospital purposes under the Constitution.

State Administration.

By Mr. Steagall:

H. 14. To validate in certain cases elections heretofore held in school districts and counties for the purpose of authorizing a special tax for any school purpose, or for school purposes generally, under the Constitution.

State Administration.

By Messrs. Harris, Hearn, Bishop, Copeland and Ferguson:

H. 15. To amend Title 32, Sections 1 and 2, Code of Alabama 1940, to provide for a reapportionment of representation in the Legislature of Alabama pursuant to Article IX of the Constitution; fixing the number of representatives and apportioning them among the several counties according to the number of inhabitants in them respectively; fixing the number of senators and dividing the state into as many senatorial districts as there are senators.

Judiciary.

By Mr. Harris:

H. 16. TO AMEND SECTION 216 OF TITLE 52, CODE OF ALABAMA, 1940, WHICH RELATES TO PURPOSES FOR WHICH WARRANTS MAY BE ISSUED.

State Administration.

By Messrs. Copeland and Hanby:

H. 17. Relating to municipalities having populations of not less than 48,000 nor more than 60,000, according to the most recent federal decennial census; limiting their authority to impose privilege license taxes.

Local Legislation No. 1.

By Messrs. Hanby and Copeland:

H. 18. To regulate further the feeding of prisoners in jail in all counties having populations of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census; to provide for retroactive effect of the provisions of this Act, and to validate the payment to the sheriffs of such counties certain allowances which may have heretofore been made to them for the feeding of prisoners in county jails, and for preparing and serving such food.

Local Legislation No. 1.

By Messrs. Oden and Callahan:

H. 19. For the relief of Mrs. Mittye Elizabeth Thomas, widow of

Ralph C. Thomas, deceased: To make an appropriation from the General Fund of the State Treasury to compensate said widow for loss of benefits on account of death of husband, Ralph C. Thomas, before effective date of his monthly retirement benefits.

State Administration.

By Mr. Oden:

H. 20. To amend Act No. 126, H. 15, of the Second Special Session of the Legislature of 1959 (Acts of Alabama 1959, page 369), which created the Alabama Education Authority and authorized it to issue and sell bonds for the purpose of providing funds for the construction, reconstruction, improvement, alteration and equipment of public school and college buildings and for acquiring sites therefor, so as to authorize such authority to allocate and pay a portion of the funds so raised to Northwest Alabama Junior College, an institution of higher learning, established pursuant to Act No. 888, H. 1113 of the Regular Session of 1961.

State Administration.

By Messrs. Oden and Ray:

H. 21. To amend further Act No. 664, H. 791, approved July 5, 1940 (General Acts of Alabama 1939, p. 1050), which provides for the levy, assessment, and collection of mileage taxes from motor carriers in the State of Alabama so as to reinstate the provision imposing such tax on vehicles transporting property for hire.

State Administration.

By Messrs. Oden and Ray:

H. 22. To amend further Section 713, Title 51, Code of Alabama 1940, which relates to the distribution of motor vehicle and trailer license tax funds.

State Administration.

By Messrs. Oden and Ray:

H. 23. To reenact and amend Section 703 of Title 51, Code of Alabama 1940, relating to the privilege license tax on the registration of trailers and semi-trailers so as to reinstate the provisions of such section which were repealed by Act No. 672, H. 479 of the Regular Session of 1961.

State Administration.

By Messrs. Oden and Ray:

H. 24. To repeal Act No. 674, H. 484, of the Regular Session of 1961, which makes further provisions regarding the taxation affecting motor fuel sold to, or withdrawn from storage or used in this State by motor carriers in their operations in this State.

State Administration.

By Messrs. Oden and Ray:

H. 25. To reenact and amend Section 697 of Title 51, Code of Alabama 1940, relating to the privilege license tax on the registration of

trucks so as to reinstate the provisions of such section which were repealed by Act No. 672, H. 479, of the Regular Session of 1961.

State Administration.

By Messrs. Oden and Ray:

H. 26. To repeal Act No. 672, H. 479, of the Regular Session of the Legislature of 1961, entitled "An Act To revise the privilege license schedules relating to the registration of trucks, truck-tractors, trailers, and semi-trailers operated for hire, repealing conflicting laws."

State Administration.

By Mr. Cabiness:

H. 27. Proposing an amendment to the Constitution of Alabama to provide for a reapportionment of representation in the Legislature of Alabama.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Mr. Cabiness:

H. 28. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for any county in this State which has a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal decennial census.

Local Legislation No. 1.

By Mr. Cabiness:

H. 29. To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census, from making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of passing vehicles, unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use.

Local Legislation No. 1.

By Messrs. Perry, Morrow and Murphy:

H. 30. To Amend Sections 1 and 2 of Title 32, Code of Alabama, 1940, so as to reapportion the House of Representatives of the State of Alabama and to redistrict the Senate of the State of Alabama, and to provide for special primaries to make nominations therefor, and for other purposes.

Judiciary.

By Messrs. Perry, Sessions, Morrow, Edwards, Hawkins and Rast:

H. 31. TO AMEND ACT NO. 343 OF THE LEGISLATURE OF ALA-

BAMA OF 1953, APPROVED AUGUST 17, 1953, (ACTS OF ALABAMA OF 1953, PAGE 404 ET SEQ.).

Local Legislation No. 2.

By Messrs. Perry, Sessions, Edwards, Rast, Morrow and Hawkins:

H. 32. To confer upon the Alabama Public Service Commission exclusive authority and power to regulate the rates of and to supervise certain public utilities the operation of which are exempt, in whole or in part, from the provisions of the Alabama Motor Carrier Act of 1939, and which said utilities are engaged in business as common carriers of passengers for hire within counties having a population of 500,000 or more inhabitants according at the latest or any subsequent federal census.

Local Legislation No. 2.

By Messrs. Morrow, Sessions, Perry, Hawkins, Rast, Locke, Goldthwaite and Guthrie:

H. 33. To propose an amendment to the Constitution of Alabama relating to the time of convening of the Legislature and the length of sessions thereof.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Mr. Dodd:

H. 34. To amend further Section 7, Title 60, Code of Alabama 1940, as amended, which relates to the widows of Confederate veterans who are entitled to pensions.

State Administration.

By Messrs. Roberts, Reynolds (Madison), Gilchrist, Shumate and Ferguson:

H. 35. To reapportion the Legislature in accordance with Article 9, Sections 198-200, Constitution of Alabama 1901.

Judiciary.

By Messrs. Roberts, Gilchrist and Reynolds (Madison):

H. 36. To amend Act No. 652, H. 88, Regular Session 1961, entitled "An Act to exclude certain municipal privilege licenses from gross sales, or gross receipts, in the computation of State Sales Taxes (Act No. 100, H. 94, approved August 18, 1959, Acts 1959, vol. 1, p. 298)".

State Administration.

By Messrs. Gilchrist and Roberts:

H. 37. To provide for collection and enforcement by the state department of revenue of sales and use taxes levied or assessed by any city or town.

State Administration.

By Mr. Grant:

H. 38. To amend Title 32, Section 1 and 2, Code of Alabama 1940, so as to provide for reapportionment of representation in the legislature of Alabama pursuant to Article IX of the Constitution; to fix the number of representatives and apportion them among the several counties according to the number of inhabitants in them respectively; to fix the number of senators and divide the State into as many senatorial districts as there are senators.

Judiciary.

By Messrs. Engel and Rogers (Mobile):

H. 39. To amend Section 1 of Title 32, Code of Alabama of 1940, distributing the membership of the House of Representatives of the Legislature of Alabama among the several counties of the State.

Judiciary.

By Messrs. Engel and Rogers (Mobile):

H. 40. To amend Section 2 of Title 32, Code of Alabama of 1940, relative to the division of the State into senatorial districts.

Judiciary.

By Messrs. Rogers (Mobile), Engel and Murphy:

H. 41. Proposing an amendment to the Constitution of Alabama 1901 relating to the creation of a legislative apportionment commission.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Rogers (Mobile), Engel and Murphy:

H. 42. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing special assistants for sheriffs of such counties.

Local Legislation No. 1.

By Messrs. Engel and Rogers (Mobile):

H. 43. To amend Section 21 of Title 30, Code of Alabama 1940, providing for qualifications of persons on jury rolls.

State Administration.

By Messrs. Engel, Rogers (Mobile) and Murphy:

H. 44. To apply in all counties of the State having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census; providing for the appointment of bailiffs for the Circuit Courts in such counties, prescribing their duties, and regulating their compensation.

Local Legislation No. 1.

By Messrs. Rogers (Mobile), Murphy and Engel:

H. 45. To provide for county displays and exhibits in the new city auditorium in Mobile; making an appropriation from the state treasury for grants in aid to the several counties.

State Administration.

By Mr. Engel:

H. 46. To amend Section 19 of Act No. 678, H. 1364, approved September 8, 1961, General Acts of Alabama 1961, Page 952, entitled "An Act regulating the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students and apprentices; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof in all counties having a population of not less than 300,000 nor more than 500,000 inhabitants according to the last or any subsequent federal decennial census."

Local Legislation No. 1.

By Messrs. Pierce, Bailey, Goodwyn and Goldthwaite:

H. 47. Relating to counties having populations of not less than 150,000 nor more than 300,000 inhabitants: To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

Local Legislation No. 1.

By Messrs. Pierce, Bailey, Goodwyn and Goldthwaite:

H. 48. Relating to cities having populations of not less than 100,000 nor more than 200,000 inhabitants: To provide for the payment of benefits to employees of any such city who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such city who are killed in the performance of their official duties.

Local Legislation No. 1.

By Messrs. Bailey, Pierce, Goodwyn and Goldthwaite:

H. 49. To repeal Act No. 627 of the 1961 Regular Session of the Legislature of Alabama proposing an amendment to the Constitution of Alabama relative to the levying of additional taxes for school purposes within Montgomery County.

Local Legislation No. 1.

By Messrs. Bailey, Goldthwaite, Goodwyn and Pierce:

H. 50. To amend Act No. 298, H. 823, Regular Session 1955, an act authorizing the governing body of any county having a population of not less than 125,000 nor more than 225,000, and the governing body of any municipality within such a county, to create a joint public charity hospital board (Acts 1955, Vol. 1, p. 694).

Local Legislation No. 1.

By Messrs. Bailey, Pierce, Goodwyn and Goldthwaite:

H. 51. Relating to taxation; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

State Administration.

By Mr. Bailey:

H. 52. To fix the number of representatives in the house of representatives of the legislature and apportion them among the several counties as prescribed by the Constitution; amending Code of Alabama 1940, Title 32, Section 1.

Judiciary.

By Messrs. Long (Perry), Jenkins and Harris:

H. 53. Proposing an amendment to the Constitution of Alabama relating to the legislative department of the state government.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Mr. Cates:

H. 54. To authorize the appointment of additional deputies sheriff in counties having populations of not less than 32,000 nor more than 33,000 inhabitants; to provide for their compensation; to provide for retroactive effect of the provisions of this act; to validate the appointment of deputies sheriff which may have been heretofore made, the payment to them of compensation, and the acts of such appointees which may have been required in performance of their official duties.

Local Legislation No. 1.

By Messrs. Camp and Nichols:

H. 55. To provide that all human blood used or proposed to be used for blood transfusions shall be labeled according to the race of the donor; to provide that no human blood not labeled in accordance with the provisions of this Act shall be used for blood transfusions in this State; to provide that any person about to receive a blood transfusion or a parent or the next of kin of said person shall be informed of the race of the donor of the blood, if blood from a person of a different race is to be used; to provide that a doctor may proceed with a transfusion without compliance with the provisions of this Act if an emergency exists; to provide that emergency and disaster areas are exempt from the provisions of this Act if the emergency has been declared by the Governor, or a federal agency or other agency or authority having the authority to declare an emergency; to provide a penalty for the violation of the provisions of this Act; and for other purposes.

State Administration.

By Mr. Camp:

H. 56. To fix the compensation of election officers; amending Section 198 of Title 17, Code of Alabama, 1940, which prescribes and regulates the payment of compensation for election officers; and repealing Act No.

409, S. 224, approved July 8, 1943 (General Acts of 1943, page 375), as amended, which provides for the payment of extra compensation to election officers serving at elections which are conducted in whole or in part by voting machines.

State Administration.

By Mr. Camp:

H. 57. To amend further Section 198 of Title 17, Code of Alabama 1940, which relates to the compensation of election officials, raising their compensation to \$10 per day.

State Administration.

By Messrs. Guthrie, Shumate and Hearn:

H. 58. Proposing amendments of the Constitution of Alabama fixing the number of representatives in the Legislature and apportioning the membership among the several counties, fixing the number of senators and dividing the State into senatorial districts.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Bevill, Shumate, Gilchrist, Hanby and Oden:

H. 59. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Judiciary.

By Messrs. Bevill, Shumate, Gilchrist, Hanby and Oden:

H. 60. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Judiciary.

By Messrs. Bevill, Shumate, Gilchrist, Hanby and Oden:

H. 61. Proposing an amendment to the Constitution of Alabama fixing the number of representatives in the Legislature and apportioning the membership among the several counties, fixing the number of senators and dividing the State into senatorial districts, setting the required frequency of subsequent reapportionment, placing the duty and responsibility for subsequent reapportionment of the legislature upon the legislature itself from and after the first Monday in May, 1971 and prescribing apportionment basis and procedure to be thereafter followed.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Bevill and Shumate:

H. 62. Relating to counties having populations of not less than 54,000 nor more than 56,000; authorizing an appropriation from county funds for certain purposes.

Local Legislation No. 1.

By Mr. Bevill:

H. 63. Relating to the Fourteenth Judicial Circuit; fixing the salary of the Official Court Reporter appointed by and serving under the presiding Judge of such circuit and providing for the payment thereof.

Local Legislation No. 1.

By Messrs. Bevill and Shumate:

H. 64. To fix the time of holding meetings of the court of county commissioners, board of revenue, or other like governing body in all counties having a population of not less than 51,000 nor more than 56,000 inhabitants, and to repeal Act 139, H. 337, approved August 1, 1961 (Acts of Alabama 1961, vol. I, p. 177) and all conflicting laws.

Local Legislation No. 1.

By Messrs. Shumate, Hearn, Guthrie and Bevill:

H. 65. To comply with Article 9 of the Constitution of Alabama concerning representation of the several counties in the Legislature on the basis of the 1960 federal decennial census, amending Code of Alabama 1940, Title 32, Sections 1 and 2.

Judiciary.

By Mr. Oakley:

H. 66. Proposing an amendment to the Constitution of Alabama relative to apportionment of representation in the Legislature.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Rogers (Mobile) and Murphy:

H. 67. Relating to cities having a population of not less than 200,000 nor more than 300,000, according to the last or any subsequent federal decennial census; providing for the appointment of an administrative assistant by the members of the city commission, council, or like governing body of any such city.

Local Legislation No. 1.

By Mr. Murphy:

H. 68. To designate certain areas of Mobile Bay for the taking of seed oysters.

State Administration.

By Messrs. McClendon (Chambers) and Brannan:

H. 69. To fix the number of representatives in the house of representatives of the legislature and apportion them among the several counties as prescribed by the Constitution; amending Code of Alabama 1940, Title 32, Section 1.

Judiciary.

By Messrs. Long (Perry) and Barnett:

H. 70. To authorize and provide for the establishment, maintenance, and operation of a junior college to be located in Perry County; to create a board of trustees to govern such college, to authorize the board of trustees to select the location for such college, name it, appoint a president and certain other officers therefor, and prescribe rules and regulations to govern the college; to constitute the college a body corporate upon compliance with certain conditions; to authorize the board of trustees to accept gifts, donations; devises, and bequests; and to buy, hold, sell or otherwise dispose of real and personal property for and in the name of the college, to authorize the governing body of Perry County and of each incorporated municipality in any such county to make appropriations of public funds in aid of the college; to authorize the board of education of Perry County and the board of education of any incorporated municipality in the county to use public school funds in aid of such college and to provide transportation and certain other facilities to students attending the college; to exempt from taxation the property of the college; to exempt officers and employees of the college from certain civil duties and from certain municipal privilege licenses.

State Administration.

By Mr. Britton:

H. 71. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than 15,300 nor more than 15,400 according to the 1960 or any subsequent federal decennial census, and giving the act retroactive effect.

Local Legislation No. 1.

By Mr. Britton:

H. 72. Relating to counties having populations of not less than 15,300 nor more than 15,400 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law; giving the act retroactive effect.

Local Legislation No. 1

By Mr. Britton:

H. 73. To regulate the compensation of members of the county board of education in counties having populations of not less than 15,300 nor more than 15,400 inhabitants according to the 1960 federal decennial census; giving the Act retroactive effect.

Local Legislation No. 1

By Mr. Britton:

H. 74. To provide for the employment of a deputy clerk in the office of the clerk of the circuit court in counties of not less than 15,300 nor more than 15,400 population according to the last or any subsequent federal decennial census, and giving the Act retroactive effect.

Local Legislation No. 1

By Messrs. Sessions and Perry:

H. 75. TO PROVIDE THAT IN ANY CITY OF THE STATE HAVING A POPULATION OF 600,000 OR MORE ACCORDING TO THE LAST OR ANY SUBSEQUENT FEDERAL CENSUS IT SHALL BE UNLAWFUL FOR ANY MEMBER OF THE GOVERNING BODY, OR OFFICER OR EMPLOYEE OF THE CITY TO BE DIRECTLY OR INDIRECTLY INTERESTED IN ANY WORK, BUSINESS OR CONTRACT, THE EXPENSE, PRICE OR CONSIDERATION OF WHICH IS PAID FROM THE TREASURY OF THE CITY; TO PROVIDE THAT IN ANY SUCH CITY NO MEMBER OF ANY COMMITTEE, BOARD OR BOARD OF MANAGERS, TRUSTEES OR DIRECTORS CONTAINING ONE OR MORE MEMBERS APPOINTED BY THE GOVERNING BODY OF THE CITY, OR ONE OR MORE MEMBERS WHOSE APPOINTMENT IS SUBJECT TO THE APPROVAL OF THE SAID GOVERNING BODY, OR ANY OFFICER OR EMPLOYEE OF THE CITY WHO IS AN EX OFFICIO MEMBER OF THE SAID COMMITTEE OR BOARD, SHALL BE DIRECTLY OR INDIRECTLY INTERESTED IN ANY WORK, BUSINESS OR CONTRACT, THE EXPENSE, PRICE OR CONSIDERATION OF WHICH IS PAID FROM THE FUNDS OVER WHICH SUCH COMMITTEE OR BOARD HAS JURISDICTION OR WHICH SUCH COMMITTEE OR BOARD ADMINISTERS, AND TO PROVIDE THAT NO MEMBER OF ANY SUCH COMMITTEE OR BOARD SHALL BE DIRECTLY OR INDIRECTLY INTERESTED IN FURNISHING ANY WORK, MATERIALS, SUPPLIES, SERVICES OR ANYTHING WHICH IS THE SUBJECT OF A CONTRACT MADE BY THE COMMITTEE OR BOARD; TO PROVIDE THAT MEMBERSHIP ON ANY SUCH COMMITTEE OR BOARD SHALL NOT RESULT IN IT BEING UNLAWFUL FOR A MEMBER OF THE COMMITTEE OR BOARD TO BE INTERESTED IN ANY WORK FOR, OR BUSINESS OR CONTRACT WITH, ANY SUCH CITY, PROVIDED THE SAID COMMITTEE OR BOARD DOES NOT AUTHORIZE THE SAID WORK, BUSINESS OR CONTRACT; TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR ANY MEMBER OF THE GOVERNING BODY OR ANY OFFICER OF ANY SUCH CITY TO BE SURETY FOR ANY PERSON HAVING A CONTRACT, WORK OR BUSINESS WITH THE CITY FOR THE PERFORMANCE OF WHICH A SURETY MAY BE REQUIRED; TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR A MEMBER OF ANY SUCH COMMITTEE OR BOARD TO BE A SURETY FOR ANY PERSON HAVING A CONTRACT, WORK OR BUSINESS WITH THE COMMITTEE OR BOARD FOR THE PERFORMANCE OF WHICH A SURETY MAY BE REQUIRED; TO PROVIDE THAT MEMBERSHIP ON ANY SUCH COMMITTEE OR BOARD SHALL NOT RESULT IN IT BEING UNLAWFUL FOR A MEMBER OF SUCH COMMITTEE OR BOARD TO BE A SURETY FOR PERSONS HAVING A

CONTRACT, WORK OR BUSINESS WITH THE CITY FOR THE PERFORMANCE OF WHICH A SURETY MAY BE REQUIRED PROVIDED THE COMMITTEE OR BOARD DOES NOT AUTHORIZE THE SAID CONTRACT, WORK OR BUSINESS; AND TO REPEAL ALL LAWS OR PARTS OF LAWS IN CONFLICT WITH THE PROVISIONS OF THIS ACT.

Local Legislation No. 2.

ADJOURNMENT

On motion of Mr. Broadfoot the House adjourned until Friday, June 15, 1962, at nine o'clock A.M.

SECOND DAY

House of Representatives
Montgomery, Alabama
Friday, June 15, 1962

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Joel D. McDavid, Pastor, First Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Chambers	Guthrie	McClendon (Chambers)
Adams	Cornett	Hanby	McCorquodale
Albea	Daniel	Hankins	McLendon (Bullock)
Avery	Dickson	Hardy	Martin
Bailey	Dodd	Harris	Meade
Barnett	Dunn	Hawkins	Merrill
Bassett	Engel	Hearn	Morrow
Bevill	Ferguson	Ingram	Nettles
Bishop	Ford	Jenkins	Nichols
Branyon	Franklin	Johnson (Hardaway)	Oakley
Brewer	Gilchrist	Johnson (J. T. Tom)	Oden
Britton	Gilmer	Johnston (Leonard)	Owens
Broadfoot	Glass	Jones (Covington)	Perry
Brooks	Goldthwaite	Jones (Monroe)	Pierce
Cabiness	Goodwyn	Lee	Powell
Callahan	Grant	Locke	Pruitt
Camp	Gross	Long (Lauderdale)	Ramey
Cates	Grouby	Long (Perry)	Rast

Ray	Shumate	Sorrell	Torbert
Reynolds (Chambers)	Smith (Russell)	Speaks	Turner
Roberts	Smith (St. Clair)	Sullivan	Turnham
Rogers (Moblie)	Solomon	Thomas	Vickers
Sessions			

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A quorum was present.

LEAVES OF ABSENCE

On motion of Mr. Jones (Monroe) leave of absence was granted to Mr. Rozelle because of personal illness.

On motion of Mr. Torbert leave of absence was granted to Mr. Casey in order that he might attend the Southern Regional Educational Board meeting in Williamsburg, Virginia.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the first legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 5. Endorsing the candidacy of John A. Jenkins for Junior Vice Commander-in-Chief of the Veterans of Foreign Wars.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 3. Relative to naming part of Alabama Highway No. 79 "The Albert Boutwell Highway".

Also:

H. J. R. 4. Relative to adjournment of the two Houses of the Legislature, until Friday, June 15, 1962.

J. E. SPEIGHT,
Secretary.

BILLS ON SECOND READING

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 5. To make an additional appropriation for payment of expenses of the Legislature.

Mr. Gilchrist, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendments, and they were severally read a second time and placed on the Calendar, to-wit:

H. 59. (with amendment). Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

H. 60. (with amendment). Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Mr. Gilchrist, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 35. To reapportion the Legislature in accordance with Article 9, Sections 198-200, Constitution of Alabama 1901.

H. 61. Proposing an amendment to the Constitution of Alabama fixing the number of representatives in the Legislature and apportioning the membership among the several counties, fixing the number of senators and dividing the State into senatorial districts, setting the required frequency of subsequent reapportionment, placing the duty and responsibility for subsequent reapportionment of the legislature upon the legislature itself from and after the first Monday in May, 1971 and prescribing apportionment basis and procedure to be thereafter followed.

The above bill was read a second time at length as required by the Constitution.

Mr. Perry, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 31. To amend Act No. 343 of the Legislature of Alabama of 1953, approved August 17, 1953, (Acts of Alabama of 1953, page 404 et seq.).

H. 32. To confer upon the Alabama Public Service Commission exclusive authority and power to regulate the rates of and to supervise certain public utilities the operation of which are exempt, in whole or in part, from the provisions of the Alabama Motor Carrier Act of 1939, and which said utilities are engaged in business as common carriers of passengers for hire within counties having a population of 500,000 or more inhabitants according to the latest or any subsequent federal census.

H. 75. To provide that in any city of the State having a population of 600,000 or more according to the last or any subsequent federal census it shall be unlawful for any member of the governing body, or officer or employee of the city to be directly or indirectly interested in any work, business or contract, the expense, price or consideration of which is paid from the treasury of the city; to provide that in any such city no member of any committee, board or board of managers, trustees or directors containing one or more members appointed by the governing body of the city, or one or more members whose appointment is subject to the approval of the said governing body, or any officer or employee of the city who is an ex officio member of the said committee or board, shall be directly or indirectly interested in any work, business or contract, the expense, price or consideration of which is paid from the funds over which such committee or board has jurisdiction or which such committee or board administers, and to provide that no member of any such committee or board shall be directly or indirectly interested in furnishing any work, materials, supplies, services or anything which is the subject of a contract made by the committee or board; to provide that membership on any such committee or board shall not result in it being unlawful for a member of the committee or board to be interested in any work for, or business or contract with, any such city, provided the said committee or board does not authorize the said work, business or contract; to provide that it shall be unlawful for any member of the governing body or any officer of any such city to be surety for any person having a contract, work or business with the city for the performance of which a surety may be required; to provide that it shall be unlawful for a member of any such committee or board to be a surety for any person having a contract, work or business with the committee or board for the performance of which a surety may be required; to provide that membership on any such committee or board shall not result in it being unlawful for a member of such committee or board to be a surety for persons having a contract, work or business with the city for the performance of which a surety may be required provided the committee or board does not authorize the said contract, work or business; and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 4. To provide further for election of the chairman and members of the board of education of Autauga County.

H. 6. To make an appropriation from the county treasury of Calhoun County for the relief of M. S. Nelson.

H. 7. To authorize the City of Anniston, Alabama, to sell to Alabama Society for Crippled Children & Adults, a corporation, for its reasonable market value the following described real property, to-wit:

Beginning at the northeast corner of the intersection of Walnut Avenue with Thirteenth Street in the City of Anniston, Alabama; thence north along the east boundary line of Walnut Avenue a distance of 100 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street a distance of 50 feet to a point; thence south and parallel with the east boundary line of Walnut Avenue a distance of 40 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street, to a point on the west boundary line of Moore Avenue; thence south along the west boundary line of Moore Avenue a distance of 60 feet to its point of intersection with the north boundary line of Thirteenth Street; thence west along the north boundary line of Thirteenth Street a distance of 150 feet to the point of beginning, said property being situated in the City of Anniston, Calhoun County, Alabama.

H. 8. To establish an inferior court to be called the Intermediate Civil Court of Calhoun County, Alabama; to provide for the judge, clerks and other officers, their selection and duties; to provide for the jurisdiction, practice and procedure of said court; to provide for the transfer of causes from said court to the circuit court; and to provide for appeals from said court and regulate the manner of taking same.

H. 17. Relating to municipalities having populations of not less than 48,000 nor more than 60,000, according to the most recent federal decennial census; limiting their authority to impose privilege license taxes.

H. 18. To regulate further the feeding of prisoners in jail in all counties having populations of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census; to provide for retroactive effect of the provisions of this Act, and to validate the payment to the sheriffs of such counties certain allowances which may have heretofore been made to them for the feeding of prisoners in county jails, and for preparing and serving such food.

H. 47. Relating to counties having populations of not less than 150,000 nor more than 300,000 inhabitants: To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

H. 48. Relating to cities having populations of not less than 100,000 nor more than 200,000 inhabitants: To provide for the payment of benefits to employees of any such city who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such city who are killed in the performance of their official duties.

H. 49. To repeal Act No. 627 of the 1961 Regular Session of the Legislature of Alabama proposing an amendment to the Constitution of Ala-

bama relative to the levying of additional taxes for school purposes within Montgomery County.

H. 54. To authorize the appointment of additional deputies sheriff in counties having populations of not less than 32,000 nor more than 33,000 inhabitants; to provide for their compensation; to provide for retroactive effect of the provisions of this act; to validate the appointment of deputies sheriff which may have been heretofore made, the payment to them of compensation, and the acts of such appointees which may have been required in performance of their official duties.

H. 62. Relating to counties having populations of not less than 54,000 nor more than 56,000; authorizing an appropriation from county funds for certain purposes.

H. 63. Relating to the Fourteenth Judicial Circuit; fixing the salary of the Official Court Reporter appointed by and serving under the Presiding Judge of such circuit and providing for the payment thereof.

H. 64. To fix the time of holding meetings of the court of county commissioners, board of revenue, or other like governing body in all counties having a population of not less than 51,000 nor more than 56,000 inhabitants, and to repeal Act 139, H. 337, approved August 1, 1961 (Acts of Alabama 1961, vol. I, p. 177) and all conflicting laws.

H. 71. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than 15,300 nor more than 15,400 according to the 1960 or any subsequent federal decennial census, and giving the act retroactive effect.

H. 72. Relating to counties having populations of not less than 15,300 nor more than 15,400 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law; giving the act retroactive effect.

H. 73. To regulate the compensation of members of the county board of education in counties having populations of not less than 15,300 nor more than 15,400 inhabitants according to the 1960 federal decennial census; giving the Act retroactive effect.

H. 74. To provide for the employment of a deputy clerk in the office of the clerk of the circuit court in counties of not less than 15,300 nor more than 15,400 population according to the last or any subsequent federal decennial census, and giving the Act retroactive effect.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Bishop (with notice and proof):

H. 76. To permit any bank or branch bank doing business in Colbert County to establish in the City of Muscle Shoals, Alabama, one branch

bank, branch agency, additional office or branch place of business in addition to all other branches, agencies, offices or places of business authorized by law, subject to the approval of the State Superintendent of Banks.

Local Legislation No. 1.

Notice and Proof H. 76:

NOTICE OF LOCAL BILL

Notice is hereby given that a bill, substantially as follows, will be introduced at the next session of the Legislature of Alabama and application will be made for its passage:

A BILL TO BE ENTITLED AN ACT

To permit any bank or branch bank doing business in Colbert County to establish in the City of Muscle Shoals, Alabama, one branch bank, branch agency, additional office or branch place of business in addition to all other branches, agencies, offices or places of business authorized by law, subject to the approval of the State Superintendent of Banks.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank or branch bank doing business in Colbert County may establish, maintain and operate in or at the City of Muscle Shoals in said county one branch bank, branch agency, additional office, or branch place of business in addition to all other branches, agencies, additional offices or branch places of business authorized by law; provided that such bank or branch bank, before the establishment of the additional branch, agency, office, or place of business authorized by this Act, shall first secure the written consent thereto of the Superintendent of Banks of the State of Alabama.

Section 2. All laws or parts of laws in conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
COLBERT COUNTY

I, L. H. Baker, General Manager of The Standard & Times, a weekly newspaper published in Sheffield, Colbert County, Alabama, and with a general circulation in Colbert County, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of:

Legal—

A BILL
TO BE ENTITLED
AN ACT

To permit any bank or Branch bank doing business in Colbert County to establish in the City of Muscle Shoals, Alabama one branch bank, as published in The Standard & Times on the days and dates, as follows:

May 18, 25; June 1, 8, 1962
Sheffield, Ala., June 8, 1962

L. H. BAKER,
General Manager of The Standard & Times.

Sworn to before me this 8th day of June, 1962.

JAMES A. ROBERTS,
Notary Public State-at-Large,
My Commission Expires Oct. 9, 1962.

By Mr. Guthrie:

H. 77. To provide clerical assistance for the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000.

Local Legislation No. 1.

By Mr. Guthrie:

H. 78. Relating to counties having populations of not less than 42,000 nor more than 46,000; providing for increases in pay of deputy sheriffs of such counties.

Local Legislation No. 1.

By Mr. Guthrie:

H. 79. To authorize and provide for the payment out of the county treasury of the county composing such judicial circuit of a monthly allowance for expenses incurred in the conduct and maintenance of his office and in the proper and efficient performance and discharge of his duties to each circuit judge in every judicial circuit composed of one county having a population of not less than 42,000 nor more than 46,000 inhabitants, according to the last, or any subsequent, federal decennial census.

Local Legislation No. 1.

By Messrs. Sullivan, Dodd, Branyon and Hankins:

H. 80. To propose an amendment to the Constitution of Alabama relative to exemptions from the poll tax.

State Administration.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Sullivan, Dodd, Branyon and Hankins:

H. 81. To exempt certain persons from poll tax; amending Section 238 of Title 51, Code of Alabama 1940 in relation to periods of military service subject to exemption from the tax.

State Administration.

By Messrs. McCorquodale, Dunn and Adams:

H. 82. To amend Sections 1, 2, and 3 of Act No. 530, Acts of Alabama Regular Session 1949, Page 835, "Relating to public health; to regulate through licensure hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act", so as to include domiciliary institutions, homes for the aged, intermediate institutions, and related institutions.

State Administration.

By Messrs. McCorquodale, Dunn and Adams:

H. 83. To appropriate to the State Department of Public Health for the fiscal year ending September 30th, 1963, the additional sum of seven thousand five hundred dollars (\$7,500) for administering expanded licensure responsibilities pursuant to House Bill 82.

State Administration.

By Mr. Adams (with notice and proof):

H. 84. To permit any bank having its principal place of business in Houston County to establish, maintain, and operate, within the corporate limits or police jurisdiction of any incorporated municipality in which it does business, one or more branches or additional offices or places of business, subject to the approval of the state superintendent of banks.

Local Legislation No. 1.

Notice and Proof H. 84:

A BILL
TO BE ENTITLED
AN ACT

To permit any bank having its principal place of business in Houston County to establish, maintain, and operate, within the corporate limits or police jurisdiction of any incorporated municipality in which it does business, one or more branches or additional offices or places of business, subject to the approval of the state superintendent of banks.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank having its principal place of business in Houston County may establish, maintain, and operate within the police jurisdiction or corporate limits of any incorporated municipality in which it does business one or more branches or additional offices or places of business, provided that such bank, before the establishment of any such branch or additional office or place of business, shall first secure the written consent thereto of the superintendent of banks of the State of Alabama.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me the undersigned authority in and for said County in said State this day personally appeared Mirl Crosby who is known to me and who, being by me first duly sworn, deposes and says: That he is Business Manager of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks on the following dates: May 14, 21, 28, June 4, 1962 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 13 day of June, 1962.

B. WALLACE MILLER,
Notary Public.

By Mr. Cabiness:

H. 85. To provide that the circuit clerk of any county in this state having a population of not less than 36,600 nor more than 37,600, according to the 1960 or any subsequent federal decennial census, for his services in collecting and disbursing stenographers' fees pursuant to Act No. 69, H. 74, Second Special Session 1959, shall be entitled, under certain conditions, to a part of such fees in addition to all other fees and compensation allowed him by law.

Local Legislation No. 1.

By Mr. Cabiness:

H. 86. To authorize the clerk of the circuit court of each county in this State having a population of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census to take complaints and issue warrants in criminal cases for offense committed within the county.

Local Legislation No. 1.

By Messrs. Morrow, Perry, Sessions, Locke and Rast:

H. 87. To amend Section 41 of Title 50 of the Code of Alabama of 1940 so as to authorize an improvement authority organized under the provisions of Chapter 3 of Title 50 of said Code to issue refunding bonds and

bonds for the combined purpose of refunding bonds theretofore issued and of paying the costs of constructing and acquiring any enterprise which it is permitted to own and operate or any improvement or addition thereto.

State Administration.

By Mr. Rast:

H. 88. To amend Sections 647 and 649 of Title 51, Code of Alabama 1940, as last amended by Act No. 948, 1961 Acts of Alabama, page 1523, relating to the excise tax on gasoline, so as to provide that one-half of one per cent of the state excise gasoline taxes collected in this State, with certain exceptions, shall be deposited to the Water Safety and Seafood Funds, and to provide for the expenditure of such funds deposited; and to repeal all laws or parts of laws in conflict with the provisions of this Act.

State Administration.

By Mr. Long (Lauderdale):

H. 89. Proposing an amendment to the Constitution of Alabama relative to the consolidation of certain offices and regulating the compensation of certain officers of Lauderdale County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Long (Lauderdale):

H. 90. Relating to counties having populations of not less than 61,000 nor more than 65,000; fixing the compensation of members of the court of county commissioners, board of revenue, or other like governing body of such counties.

Local Legislation No. 1.

By Mr. Guthrie:

H. 91. Relating to counties having populations of not less than 42,000 nor more than 46,000 according to the last or any subsequent federal decennial census; to authorize county governing bodies to provide for payment of additional expense and clerk hire allowances to certain county officers.

Local Legislation No. 1.

By Messrs. Engel and Rogers (Mobile):

H. 92. To authorize and provide for the creation of a public corporation in each county of the state which has a population of at least 250,000, but not more than 500,000 according to the last or any subsequent federal decennial census, to provide for, promote and encourage education on a college or university level and cultural and scientific opportunities for the inhabitants of the county; to provide for the selection of the members and board of directors thereof; to authorize and direct such board to become a public corporation; to prescribe the manner of effecting such corporation; to authorize and empower the corporation to enter into agreements with public educational bodies or any governmental agency or body for the pur-

pose of carrying out its functions; to provide for the powers of such corporation, its continuation and dissolution; and to provide for the transfer to any corporation formed hereunder of the rights, powers, duties and assets of certain other public corporations, which are hereby abolished.

Local Legislation No. 1.

By Messrs. Rogers (Mobile) and Engel (with notice and proof):

H. 93. To extend, alter and rearrange the boundaries of the Town of Mount Vernon, so as to extend the corporate limits thereof.

Local Legislation No. 1.

Notice and Proof H. 93:

LEGAL NOTICE

A bill substantially as hereinafter set forth will be introduced in the Legislature of the State of Alabama:

A BILL TO BE ENTITLED AN ACT

To extend, alter and rearrange the boundaries of the Town of Mount Vernon, so as to extend the corporate limits thereof.

Be It Enacted by the Legislature of Alabama:

Section I—That the boundaries of the Town of Mount Vernon are hereby altered and rearranged and are defined as follows, and the corporate limits of the Town of Mount Vernon are hereby extended so as to include the entire area within the following boundaries, to-wit:

Beginning at the Southwest corner of Section 44, Township 2 North, Range 1 East; thence run North to the Northwest corner of the Southwest Quarter of the Southwest Quarter; thence run East to the Northeast corner of the Southwest Quarter of the Southwest Quarter; thence run North to the Northwest corner of the Northeast Quarter of the Northwest Quarter of Section 44; thence run East to the Northeast corner of the Northeast Quarter of the Northwest Quarter of Section 44, Township 2 North, Range 1 East; thence run North to the Northwest corner of the Northwest Quarter of the Southeast Quarter of Section 43, Township 2 North, Range 1 East; thence run East to the Northeast corner of the Northeast Quarter of the Southeast Quarter of Section 43; thence run South to the Southeast corner of Section 43, Township 2 North, Range 1 East; thence run East to the Northeast corner of the Northwest Quarter of the Northwest Quarter of Section 45, Township 2 North, Range 1 East; thence run South to the Southeast corner of the Southwest Quarter of the Southwest Quarter of Section 49, Township 2 North, Range 1 East; thence run West to the Northwest corner of the Northeast Quarter of the Northeast Quarter, Section 6, Township 1 North, Range 1 East; thence run South to the Southwest corner of the Northeast Quarter of the Northeast Quarter, Section 6 Township 1 North, Range 1 East; thence run East to the Northeast corner of the Southeast Quarter of the Northeast Quarter of Section 6; thence run South to the Southeast corner of the Southeast Quarter of the Northeast Quarter of Section 6; thence run West to the Southwest corner of the Southeast Quarter of the Northwest Quarter of Section 6; thence run

South to the Southeast corner of the Northwest Quarter of the Southwest Quarter of Section 6; thence run West to the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 6; thence run North to the Northwest corner of Section 6, Township 1 North Range 1 East; which corner is the Southwest corner of Section 44, Township 2 North, Range 1 East, and the point of beginning.

Section II—That all laws and parts of laws, general, local or special in conflict with the provisions of this Act be and the same are hereby repealed.

Section III—This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

W. F. Egan, being sworn, says that he is comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Press, July 27, Aug. 10, 17, 24, 1961.

W. F. EGAN.

Sworn to and subscribed before me this 12th day of June, 1962.

JOHN A. BELL,
Notary Public.

By Messrs. Camp and Callahan:

H. 94. Relating to the Partlow State School for Mental Deficients; changing the name of such institution to Partlow State School and Hospital.

State Administration.

By Messrs. Johnson (J. T. Tom) and Vickers:

H. 95. To amend Act No. 853, H. 1152, Regular Session 1961 (Acts 1961, Vol. 2, p. 1292) which requires the commissioner and state department of revenue to collect sales taxes for the town of Camp Hill, Tallapoosa County.

Local Legislation No. 1.

RESOLUTION

The following resolution was introduced:

By Messrs. Merrill, Callahan, Albea and Rast:

H. J. R. 6. WHEREAS, The people of Alabama learned with deep regret of the untimely passing of Tom Bible, University of Alabama student and football player, who was drowned near Mobile on Tuesday, June 12, 1962, and

WHEREAS, Tom Bible was a gentleman of the finest quality, a 210 lb., 21 year old lineman on the University of Alabama 1961 National Champions Team, and

WHEREAS, His pleasing personality, and gentlemanly disposition together with his outstanding ability as a football player will be missed by not only the University of Alabama Football Team but by all the students at the University of Alabama and all the people of the State of Alabama.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING AS FOLLOWS:

1. That the Legislature of Alabama deeply regrets the passing of this fine young man and does hereby extend its sympathy to his parents and to his thousands of friends throughout the State.

BE IT FURTHER RESOLVED; That a copy of this Resolution be forwarded by the proper officer of this Legislature to the parents of this fine young man, and that a copy be sent to the Athletic Director of the University of Alabama.

On motion of Mr. Merrill the rules were suspended and H. J. R. 6 was adopted.

MOTION IN WRITING BY MR. HARRIS

Mr. Speaker:

I move that House Bill 60 be recommitted to committee.

The Speaker ruled that the Motion in Writing offered by Mr. Harris was out of order.

Mr. Harris then moved to suspend the rules in order to move that the bill, H. 60, be recommitted to the Standing Committee on Judiciary, and said motion was lost.

Yeas 46; Nays 26.

Yeas:

Messrs.	Gilmer	Johnston (Leonard)	Ramey
Avery	Gross	Jones (Covington)	Ray
Barnett	Grouby	Long (Lauderdale)	Reynolds (Chambers)
Branyon	Guthrie	Long (Perry)	Shumate
Britton	Hankins	McCorquodale	Smith (Russell)
Brooks	Hardy	Martin	Smith (St. Clair)
Cabiness	Harris	Meade	Speaks
Cates	Hearn	Nettles	Sullivan
Chambers	Ingram	Oakley	Torbert
Cornett	Jenkins	Oden	Turnham
Daniel	Johnson (Hardaway)	Owens	Vickers
Dodd	Johnson (J. T. Tom)	Powell	

Nays:

Mr. Speaker	Bevill	Franklin	Grant
Adams	Camp	Gilchrist	Hanby
Bailey	Engel	Goldthwaite	Hawkins
Bassett	Ford	Goodwyn	Jones (Monroe)

Locke
Merrill
Morrow

Perry
Pierce
Pruitt

Rast
Roberts

Rogers (Mobile)
Sessions

—26

RESOLUTION

The following resolution was introduced:

By Mr. Broadfoot:

H. J. R. 7. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That when the two houses adjourn today, they adjourn to meet again on Tuesday, June 19, next.

The motion of Mr. Broadfoot to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 7 was adopted.

Mr. Pruitt offered the following substitute for the resolution, H. J. R. 7.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that when the two Houses adjourn today, they adjourn to meet again on Tuesday, June 19, 1962, and when they adjourn on Tuesday, they adjourn to meet again on Wednesday, June 20, 1962, when they adjourn on Wednesday, they adjourn to meet again on Thursday, June 21, 1962, and when they adjourn on Thursday, they adjourn to meet again on Friday, June 22, 1962.

The motion of Mr. Broadfoot to lay on the table the substitute offered by Mr. Pruitt was lost.

Yeas 26; Nays 56.

Yeas:

Messrs.
Avery
Barnett
Britton
Broadfoot
Brooks
Cabiness

Cates
Dodd
Gilmer
Hardy
Hearn
Jenkins
Johnson (Hardaway)

Johnson (J. T. Tom)
Johnston (Leonard)
Long (Lauderdale)
Long (Perry)
McLendon (Bullock)
Nettles
Oakley

Owens
Reynolds (Chambers)
Shumate
Smith (St. Clair)
Speaks
Sullivan

—26

Nays:

Mr. Speaker
Adams
Bailey
Bassett
Bevill
Bishop
Branyon
Brewer
Callahan
Camp
Chambers
Cornett

Daniel
Engel
Ford
Franklin
Gilchrist
Glass
Goldthwaite
Goodwyn
Grant
Gross
Grouby
Guthrie

Hanby
Hankins
Hawkins
Ingram
Jones (Covington)
Jones (Monroe)
Lee
Locke
McCorquodale
Martin
Meade
Merrill

Morrow
Nichols
Oden
Perry
Pierce
Pruitt
Ramey
Rast
Ray
Roberts
Rogers (Mobile)
Sessions

Smith (Russell)	Sorrell	Torbert	Turnham
Solomon	Thomas	Turner	Vickers

—56

The question was then on the adoption of the substitute offered by Mr. Pruitt for the resolution, H. J. R. 7, and said substitute was adopted.

Yeas 55; Nays 27.

Yeas:

Mr. Speaker	Franklin	Jones (Covington)	Ray
Adams	Gilchrist	Jones (Monroe)	Reynolds (Chambers)
Bailey	Glass	Lee	Roberts
Bassett	Goldthwaite	Locke	Rogers (Mobile)
Bevill	Goodwyn	McClendon (Chambers)	Sessions
Bishop	Grant	Meade	Smith (Russell)
Branyon	Gross	Merrill	Solomon
Brewer	Grouby	Morrow	Sorrell
Callahan	Hanby	Nichols	Thomas
Camp	Hankins	Oden	Torbert
Chambers	Hawkins	Perry	Turner
Cornett	Ingram	Pierce	Turnham
Engel	Jenkins	Pruitt	Vickers
Ford	Johnson (J. T. Tom)	Rast	

—55

Nays:

<u>Messrs.</u>	Cates	Johnston (Leonard)	Owens
Avery	Daniel	Long (Lauderdale)	Powell
Barnett	Dodd	Long (Perry)	Ramey
Britton	Gilmer	McLendon (Bullock)	Shumate
Broadfoot	Guthrie	Martin	Smith (St. Clair)
Brooks	Hardy	Nettles	Speaks
Cabiness	Johnson (Hardaway)	Oakley	Sullivan

—27

And the resolution, H. J. R. 7, as amended, was adopted.

Yeas 68; Nays 10.

Yeas:

Mr. Speaker	Gilchrist	Johnston (Leonard)	Rast
Adams	Gilmer	Jones (Covington)	Ray
Bailey	Glass	Jones (Monroe)	Reynolds (Chambers)
Bassett	Goldthwaite	Locke	Roberts
Bevill	Goodwyn	Lee	Rogers (Mobile)
Bishop	Grant	McClendon (Chambers)	Sessions
Branyon	Gross	McCorquodale	Shumate
Brewer	Grouby	Meade	Smith (Russell)
Britton	Hanby	Merrill	Solomon
Callahan	Hankins	Morrow	Sorrell
Camp	Harris	Nettles	Speaks
Cates	Hawkins	Nichols	Sullivan
Chambers	Hearn	Oakley	Thomas
Cornett	Ingram	Oden	Torbert
Daniel	Jenkins	Perry	Turner
Engel	Johnson (Hardaway)	Pierce	Turnham
Franklin	Johnson (J. T. Tom)	Pruitt	Vickers

—68

Nays:

Messrs.
Avery
Barnett

Broadfoot
Cabiness
Dodd

Guthrie
Long (Lauderdale)
Long (Perry)

Martin
Ramey

—10

UNANIMOUS CONSENT GRANTED

Mr. Bevell requested unanimous consent to allow any member of the House to add his name as co-author of the bills, H. 59, H. 60 and H. 61, and it was so granted.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Pruitt and Smith (Russell):

H. J. R. 8. WHEREAS there are many legal and technical questions which are being considered by the Legislature of Alabama in the present Special Session, and

WHEREAS many of the members of the Legislature have not had an opportunity to make a detailed study of the questions involved, and

WHEREAS Mr. Gordon Madison, Assistant Attorney General of the State of Alabama, has made a study of the reapportionment decisions throughout the United States and has ably represented the State of Alabama in many cases involving constitutional law; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the members of the House and Senate respectfully request Mr. Gordon Madison to assist them on mutually agreeable occasions by giving them the benefit of his legal knowledge and study of reapportionment cases.

On motion of Mr. Pruitt the rules were suspended and H. J. R. 8 was adopted.

Also:

By Mr. Callahan:

H. J. R. 9. Whereas in recent months there have been numerous wrecks on the highways of Alabama resulting in the slaughter of people, many of them under circumstances of indescribable horror and deepest tragedy and, whereas there is a definite responsibility on the entire citizenry of the state of Alabama to make every effort and to do everything humanly possible to prevent this wastage and spoilage of human lives not to mention the substantial economic losses involved. And,

Whereas, the forthcoming month of July includes the glorious day, the commemoration and celebration of the signing of the Declaration of Independence of these United States of America when the minds of all American people should be free and unencumbered to give thanks to Almighty God for this glorious event which has so much significance to every real American, but which, in recent years, has been the occasion for an almost wholesale slaughter of peoples on our highways to the extent that

most Americans now dread to see this day approaching realizing that the most noticeable aftermath of this day is not one of glory but one of sadness produced by the unnecessary loss of lives. And,

Whereas, it is recognized that there is no such thing as an unavoidable accident; that accidents are caused or produced by human carelessness; that practically all traffic accidents are caused by either the careless or willful violation of laws and ordinances which have been enacted for the regulation of traffic on our streets and highways. And,

Whereas, every person who operates an automobile in the state of Alabama should be made to realize that he is, in truth and in fact, his brother's keeper, and that those who cannot be persuaded to operate their vehicles carefully and lawfully, should be compelled so to do by the law enforcement agencies and the judiciary of this state. And,

Whereas, the Legislature of Alabama is of the opinion that these matters should be called to the attention of our people, forcefully, impressively, and persuasively, to the end that these horrible tragedies can be averted.

Now, therefore, Be It Resolved by the House of Representatives of the State of Alabama, the Senate concurring, as follows:

That the Governor of the State of Alabama, the Honorable John Patterson, be, and he hereby is, respectfully requested and importuned to declare the month of July, 1962, as "Highway Safety Month" and that he issue a proclamation so stating, and that such proclamation call on all Sheriffs, Highway Patrolmen, Police Officers, Constables, and all law enforcement officers to be especially alerted during the forthcoming month of July about their duties insofar as traffic is concerned; that such proclamation call on the Mayors of the various municipalities of this state and the county governing bodies of this state to exercise their authority in a manner calculated to produce careful, prudent, and lawful operation of automobiles within the territorial confines of their respective governmental sub-divisions.

That it be suggested to the Governor that the guidance and watching care of Almighty God be invoked on our people during this month to the end that the useless and unnecessary injury and loss of life may be prevented; that those who conduct religious worship services, of whatever doctrine or creed, emphasize man's duty to man and man's duty to God in the use of motor vehicles; and that such proclamation be so worded that, if heeded by the people of our state, all deaths on our highways will be prevented and no person within the entire length and breadth of the State of Alabama will lose their life needlessly and unnecessarily in a traffic accident.

And be it further resolved that a committee consisting of two senators and three house members be appointed to call upon His Excellency, the Governor, and present this resolution to him and urge his sympathetic consideration of same, the members of such committee to be selected by the Lt. Governor and the Speaker of the House.

On motion of Mr. Callahan the rules were suspended and H. J. R. 9 was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 3. Relative to designating Alabama Highway No. 79 "The Albert Boutwell Highway".

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The motion of Mr. Rast to suspend the rules in order to introduce a resolution out of order was adopted.

And the following resolution was introduced:

By Messrs. Rast, Perry, Sessions, Hawkins, (Auburn University), Locke, Morrow and Rogers (Mobile):

H. J. R. 10. WHEREAS, Paul "Bear" Bryant of the number one school in the number one state is the number one coach of the number one football team in the number one country in the world,

THEREFORE, BE IT RESOLVED that the number one legislative body in the world does congratulate its own Paul "Bear" Bryant and each of his players on this wonderful achievement.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Coach Bryant and to the President of the University of Alabama.

On motion of Mr. Rast the rules were suspended and H. J. R. 10 was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 5. Relative to endorsing the candidacy of John A. Jenkins

for the office of Junior Vice Commander-in-Chief of the Veterans of Foreign Wars.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:00 A.M. On June 15, 1962

H. J. R. 3.

H. J. R. 5.

OAKLEY MELTON, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Broadfoot the House adjourned until Tuesday, June 19, 1962, at twelve o'clock, noon.

THIRD DAY

House of Representatives
Montgomery, Alabama
Tuesday, June 19, 1962

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Alva G. Parks, Minister of Education, First Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dodd	Ingram	Pruitt
Adams	Dunn	Jenkins	Ramey
Albea	Edwards	Johnson (Hardaway)	Rast
Avery	Engel	Johnson (J. T. Tom)	Ray
Bailey	Faulk	Johnston (Leonard)	Reynolds (Chambers)
Barnett	Ferguson	Jones (Covington)	Reynolds (Madison)
Bassett	Ford	Jones (Monroe)	Roberts
Bevill	Franklin	Lee	Rogers (Macon)
Bishop	Gilchrist	Locke	Rogers (Mobile)
Brannan	Gilmer	Long (Lauderdale)	Salter
Branyon	Glass	Long (Perry)	Self
Brewer	Goldthwaite	McClendon (Chambers)	Sessions
Britton	Goodwyn	McCorquodale	Shumate
Broadfoot	Gordon	McLendon (Bullock)	Smith (Russell)
Brooks	Grant	Martin	Smith (St. Clair)
Cabiness	Gross	Meade	Solomon
Callahan	Grouby	Merrill	Sorrell
Camp	Guthrie	Morrow	Speaks
Casey	Hain	Murphy	Steagall
Cates	Hanby	Nettles	Sullivan
Chambers	Hankins	Oakley	Taylor
Cook	Hardy	Oden	Thomas
Copeland	Harris	Owens	Torbert
Cornett	Harvey	Perry	Turner
Daniel	Hawkins	Pierce	Turnham
Dickson	Hearn	Powell	Vickers

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Jones (Monroe) leave of absence was granted to Mr. Rozelle because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the second legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 7. Relative to adjournment of the two Houses to meet on Tuesday, June 19, 1962, Wednesday, June 20, 1962, Thursday, June 21, 1962 and Friday, June 22, 1962.

Also:

H. J. R. 10. Congratulating Coach Paul "Bear" Bryant and his football team on their wonderful achievement.

Also:

H. J. R. 6. Extending sympathy to the family and friends because of the death of Tom Bible, University of Alabama student.

Also:

H. J. R. 9. Requesting Honorable John Patterson to designate the month of July, 1962, as "Highway Safety Month", and appointing a committee to present this resolution to the Governor to consider it.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 1. Clarifying the eligibility of employees for coverage in the Employees' Retirement System of Alabama.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 8. Requesting Mr. Gordon Madison, Assistant Attorney General, to assist the Legislature with his knowledge and study of reapportionment cases.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 6. Relative to the untimely passing of Tom Bible, University of Alabama student and football player.

Also:

H. J. R. 8. Relative to requesting the assistance of Mr. Gordon Madison.

Also:

H. J. R. 9. Relative to declaring the month of July, 1962 as "Highway Safety Month".

Also:

H. J. R. 10. Relative to congratulating University of Alabama Football Coach Paul "Bear" Bryant and his Team for their 1961 football achievements.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 11. To amend Act No. 409, H. 809, approved September 9, 1955, (Acts of Organizational—Special—Regular Sessions 1955, Vol. II, p. 954) which relates to furnishing equipment, supplies, and additional clerks to the tax assessor and the tax collector of counties having a population of not less than 30,700 nor more than 31,400 inhabitants according to the decennial census of the United States of 1950, and having two court houses and a court of county commissioners:

Relating to counties having a population not less than 30,000 nor more than 34,000 inhabitants according to the last or any subsequent decennial census of the United States, and having two court houses and a court of county commissioners; providing for the furnishing of additional clerks to the tax assessor and the tax collector of such counties.

H. 42. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing special assistants for sheriffs of such counties.

H. 44. To apply in all counties of the State having a population of not less than 300,000 nor more than 500,000, according to the last or any

subsequent Federal decennial census; providing for the appointment of bailiffs for the Circuit Courts in such counties, prescribing their duties, and regulating their compensation.

H. 46. To amend Section 19 of Act No. 678, H. 1364, approved September 8, 1961, General Acts of Alabama 1961, Page 952, entitled "An Act regulating the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students and apprentices; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof in all counties having a population of not less than 300,000 nor more than 500,000 inhabitants according to the last or any subsequent federal decennial census."

H. 67. Relating to cities having a population of not less than 200,000 nor more than 300,000, according to the last or any subsequent federal decennial census; providing for the appointment of an administrative assistant by the members of the city commission, council, or like governing body of any such city.

H. 76. To permit any bank or branch bank doing business in Colbert County to establish in the City of Muscle Shoals, Alabama, one branch bank, branch agency, additional office or branch place of business in addition to all other branches, agencies, offices or places of business authorized by law, subject to the approval of the State Superintendent of Banks.

H. 77. To provide clerical assistance for the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000.

H. 78. Relating to counties having populations of not less than 42,000 nor more than 46,000; providing for increases in pay of deputy sheriffs of such counties.

H. 79. To authorize and provide for the payment out of the county treasury of the county composing such judicial circuit of a monthly allowance for expenses incurred in the conduct and maintenance of his office and in the proper and efficient performance and discharge of his duties to each circuit judge in every judicial circuit composed of one county having a population of not less than 42,000 nor more than 46,000 inhabitants, according to the last, or any subsequent, federal decennial census.

H. 84. To permit any bank having its principal place of business in Houston County to establish, maintain, and operate, within the corporate limits or police jurisdiction of any incorporated municipality in which it does business, one or more branches or additional offices or places of business, subject to the approval of the state superintendent of banks.

H. 91. Relating to counties having populations of not less than 42,000 nor more than 46,000 according to the last or any subsequent federal decennial census; to authorize county governing bodies to provide for payment of additional expense and clerk hire allowances to certain county officers.

H. 92. To authorize and provide for the creation of a public corporation in each county of the state which has a population of at least 250,000 but not more than 500,000 according to the last or any subsequent federal decennial census, to provide for, promote and encourage education on a

college or university level and cultural and scientific opportunities for the inhabitants of the county; to provide for the selection of the members and board of directors thereof; to authorize and direct such board to become a public corporation; to prescribe the manner of effecting such corporation; to authorize and empower the corporation to enter into agreements with public educational bodies or any governmental agency or body for the purpose of carrying out its functions; to provide for the powers of such corporation, its continuation and dissolution; and to provide for the transfer to any corporation formed hereunder of the rights, powers, duties and assets of certain other public corporations, which are hereby abolished.

H. 93. To extend alter and rearrange the boundaries of the Town of Mount Vernon, so as to extend the corporate limits thereof.

H. 95. To amend Act No. 853, H. 1152, Regular Session 1961 (Acts 1961, Vol. 2, p. 1292) which requires the commissioner and state department of revenue to collect sales taxes for the town of Camp Hill, Tallapoosa County.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Bishop (with notice and proof):

H. 96. Relating to Colbert County; levying additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments and additions thereto; providing for the enforcement and collection of the taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; prescribing the purposes for which such proceeds may be used; and superseding Act No. 485, H. 1049, approved August 30, 1949 (Acts 1949, p. 704), the county sales and use tax law.

Local Legislation No. 1.

Notice and Proof H. 96:

STATE OF ALABAMA COUNTY OF COLBERT

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Colbert County; levying additional special privilege or license taxes and excise taxes paralleling with like provisions in the county, such state taxes as are levied by the State of Alabama by Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments and additions thereto; providing for the enforcement and collection of the taxes by

the State Department of Revenue, and for the distribution of the proceeds thereof; prescribing the purposes for which such proceeds may be used; and superseding Act No. 485, H. 1049, approved August 30, 1949 (Acts 1949, p. 704), the county sales and use tax law.

Be It Enacted by the Legislature of Alabama:

Section 1. In Colbert County there is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, special county privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, and amendments and additions thereto, as follows:

(1) A privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against the gross sales, or gross receipts, as the case may be, as follows:

(a) Upon every person, firm or corporation (including the State of Alabama and its Alcoholic Beverage Control Board in the sale of alcoholic beverages and all institutions of higher learning in the county, whether such institutions be denominational, state, county, or municipal institutions; and any association or other agency or instrumentality of such institutions) engaged, or continuing within Colbert County in the business of selling at retail any tangible personal property whatsoever including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks), an amount equal to one-half of one per cent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. **Provided, however,** that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer on the gross sales of the business. **Provided** that where all the sales of a company are single sales of peanut products, milk products, coffee, and confections sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not to exceed ten cents (10c) per sale, and the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10c) per sale and shall file with the State Department of Revenue a sworn statement to that effect and shall keep and maintain records satisfactory to the State Department of Revenue, the gross receipts tax herein provided for shall not be levied.

(b) Upon every person, firm or corporation engaged, or continuing within Colbert County, in the business of conducting, or operating, places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution within the county, or any athletic association thereof, or other association whether such institution or association be a denominational, a state, a county, or a municipal institution or association or a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description

within Colbert County, an amount equal to one per cent of the gross receipts of any such business.

(c) Upon every person, firm or corporation engaged or continuing within Colbert County in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property an amount equal to three-eighths of one per cent of the gross proceeds of the sale of such machines; provided, that the term "machines," as herein used, shall include machinery which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(d) Upon every person, firm or corporation engaged or continuing within Colbert County in the business of selling at retail any automotive vehicle or truck trailer or semi-trailer, or house trailer, an amount equal to one-eighth of one per cent of the gross proceeds of the sale of said automotive vehicle or truck trailer, and semi-trailer or house trailer.

Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(2) (a) An excise tax on the storage, use, or other consumption in Colbert County of tangible personal property purchased at retail on or after the effective date of this Act for storage, use, or other consumption in the county at the rate of one per cent of the sales price of such property, regardless of whether the retailer is or is not engaged in the business in the county, except as provided below in paragraph (b) or (c) of this subsection.

(b) An excise tax is hereby imposed on the storage, use or other consumption in Colbert County of any machine used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, purchased at retail on or after the effective date of this Act at the rate of three-fourths of one per cent of the sales price of any such machine; provided, that the term "machines," as herein used, shall include machinery which is used for mining, quarrying, compounding, processing, or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(c) An excise tax on the storage, use, or other consumption in Colbert County of any automotive vehicle, truck trailer, semi-trailer or house trailer purchased at retail on or after the effective date of this Act for storage, use, or other consumption in the county at the rate of one-fourth of one per cent of the sales price of such automotive vehicle truck trailer, semi-trailer, or house trailer.

Where any used automotive vehicle or truck trailer, semi-trailer, or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(d) Every person storing, using, or otherwise consuming in Colbert County tangible personal property purchased at retail after the effective date of this Act shall be liable for the tax, and the liability shall not be extinguished until the tax has been paid as provided for by this Act; provided, however, that a receipt from a retailer maintaining a place of business in Colbert County showing the payment of such tax shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer.

Section 2. The taxes provided for in Section 1 shall be subject to all definitions, exceptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments, and deductions as are applicable to the state sales and use taxes levied under Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, and all acts now or hereafter amendatory thereof or supplementary thereto, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection of the taxes.

Section 3. All taxes imposed by this Act, together with such interest and penalties as may be imposed herein, shall be a lien upon the property of any person, firm or corporation due to pay such taxes under the provisions of this Act, and all of the provisions of the revenue laws of the State of Alabama applying to, or with reference to, the enforcement of liens for license taxes due the State of Alabama shall apply fully to the collection of the taxes imposed by this Act, and the State Department of Revenue, for the use and benefit of Colbert County, shall collect or enforce such taxes in the manner and form therein provided, and as further provided in Section 4 hereof.

Section 4. The taxes imposed by this Act shall be collected by the State Department of Revenue at the same time and along with the collection by the department of taxes levied and collected for the State of Alabama under Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments thereto, and all reports now required to be made to the Commissioner of Revenue of the State of Alabama shall, on request of the Department of Revenue, be available for inspection by the chairman of the county governing body of Colbert County, or his designated agent, at reasonable times during business hours. The State Department of Revenue shall prepare and distribute such reports, forms, and other information as may be necessary for the collection of the additional taxes herein imposed, and shall have all the authority and duties in connection with such additional taxes as are now given by law to the department for the collection of state sales and use taxes under Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940 and amendments thereto. It shall be the duty of the Commission of Revenue to pay into the state treasury all collections of taxes made hereunder, and on or before the first day of the following month the Commissioner of Revenue shall certify to the State Comptroller the amount of special taxes levied and collected under the authority of this Act for the use and benefit of Colbert County during the calendar month immediately preceding the making of such certificate to the State Treasurer; whereupon it shall be the duty of the State Comptroller to issue his warrant on the state treasury, payable to the custodian of the county school funds of Colbert County for the amount so certified by the Commissioner of Revenue as having been collected for the use and benefit of Colbert County and paid into the state treasury. The State Department of Revenue shall charge Colbert County for collecting the taxes levied by this Act such percentage of the taxes collected, not in excess of five per cent thereof, as is agreed

upon by the Commissioner of Revenue and the Colbert County Board of Education. Such charge for collecting such taxes shall be deducted from the special sales and special use taxes collected before certifying the amount of special sales and special use taxes due Colbert County.

Section 5. The taxes imposed by this Act shall be in addition to all other licenses and taxes levied by law as a condition precedent to engaging in any business taxable hereunder in Colbert County, except as herein otherwise specifically provided.

Section 6. The taxes levied by this Act shall be due and collectible at the same times and in the manner as the state sales and use taxes, and as set out in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and in Article 11 of Chapter 20 of Title 51 of the Code of Alabama 1940; and all of the methods and provisions given to the State of Alabama as to the collection of such taxes under the provisions of Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959 and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments thereto, are given hereby to Colbert County, and to the State Department of Revenue for Colbert County's use, as to the taxes levied by this Act.

Section 7. Seventy-five per cent of the proceeds of the taxes imposed by this Act, when paid to the custodian of the county school funds of Colbert County, as provided in Section 4, shall be apportioned to the Board of Education of Colbert County and retained in the county school fund; and the remaining twenty-five per cent shall be divided between the Board of Education of the City of Sheffield and the Board of Education of the City of Tuscumbia, sixty per cent thereof being allocated and paid to the Board of Education of the City of Sheffield and forty per cent to the Board of Education of the City of Tuscumbia. The payment of the principal of and interest on any warrants or other evidences of debts to the payment of which the revenues derived from the taxes levied by Act No. 485, H. 1049, approved August 30, 1949, as amended, were pledged, shall be a preferred claim against the proceeds of the taxes levied by this Act accruing to each of the above named boards of education which issued such warrants or other evidences of debt. All the revenues accruing from the tax levied by this Act allocated to the Board of Education of the City of Sheffield which are not required for the payment of debts as above provided, shall be used exclusively for public school purposes in said city. All such revenues allocated to the Board of Education of the City of Tuscumbia not needed for the payment of debts as above provided shall be used exclusively for public school purposes in the City of Tuscumbia. All such revenues allocated to the Colbert County Board of Education not needed for the payment of debts as above provided shall be used exclusively for public school purposes in said county outside cities of Sheffield and Tuscumbia.

Section 8. Each of the boards of education named in Section 7 above shall have the right and authority to pledge, as security for any warrants that may be issued by it for public school purposes and as security for any other debts that may be incurred by it for public school purposes, such part of the revenues arising from taxes levied and allocated to it under this Act as is not required to pay its outstanding warrants and other debts to which proceeds from the taxes levied by said Act No. 485 of 1949 had been pledged. The use of such revenues for payment of the principal of and interest on such warrants and other debts is hereby declared to be a public school purpose within the purview of Section 7 above. When the revenues arising from the taxes levied by this Act have been pledged, as hereinabove authorized, to the payment of warrants and other debts, such warrants and debts shall constitute preferred claims over that portion of said revenues pledged therefor; and claims therefor shall have preference over claims

against said revenues incurred for operating expenses and for any other purpose whatsoever.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This Act supersedes Act No. 485, H. 1049, approved August 30, 1949 (Acts 1949, p. 704) as amended, which levied sales and use taxes for Colbert County. Provided, this Act shall not affect rights, liabilities, and duties that matured, penalties that were incurred, or proceedings that were begun under said Act No. 485 before the effective date of this enactment.

Section 11. This Act shall become effective October 1, 1962; however the Commissioner of Revenue and any officer or employee of the State Department of Revenue charged with any duty relative to the preparation of blanks, forms or other items needed for the collection of the taxes hereby levied shall perform such duties at such time before October 1, 1962 as will enable the Commissioner and the department to begin collection of the taxes hereby levied on October 1, 1962.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared L. H. Baker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Standard & Times, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 25, 1962; June 1, June 8, and June 15, all in the year 1962.

L. H. BAKER,
General Manager.

Sworn to and subscribed before me June 15, 1962.

JAMES A. ROBERTS,
Title Notary Public-state-at-large.
My Commission expires Oct. 9, 1962.

By Mr. Bishop (with notice and proof):

H. 97. To amend further Section 2 of Act No. 131, H. 333, Regular Session 1949, an act which created and established the board of revenue for Colbert County (Acts 1949, p. 157).

Local Legislation No. 1.

Notice and Proof H. 97:

NOTICE OF LOCAL LAW

STATE OF ALABAMA COUNTY OF COLBERT

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 2 of Act No. 131, H. 333, Regular Session 1949, an act which created and established the board of revenue for Colbert County (Acts 1949, p. 157).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 131, H. 333, Regular Session 1949, the act which created and established the board of revenue for Colbert County (Acts 1949, p. 157), as amended by an act approved August 20, 1957 (Acts 1957, p. 456), is amended further to read as follows:

"Section 2. For the purposes of this Act, Colbert County shall remain divided into four districts as provided by Act. No. 184, H. 564, approved June 23, 1945 (Local Acts 1945, p. 101)."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. F. Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Colbert County Reporter, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, May 31, June 7, and June 14, all in the year 1962.

W. F. MILLER.

Sworn to and subscribed before me June 18, 1962.

FRANCES DI RAGO,
Title Notary Public.

By Mr. Bishop (with notice and proof):

H. 98. To make it unlawful for a member of the governing body of the Colbert County Hospital to have any financial or beneficial interest in, or receive anything of value or promise thereof for the purchase, or contract to purchase insurance, personal property, or contractual service for such hospital; and to prescribe penalties for the violation of this Act.

Local Legislation No.1.

Notice and Proof H. 98:

NOTICE OF LOCAL LAW

STATE OF ALABAMA
COUNTY OF COLBERT

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To make it unlawful for a member of the governing body of the Colbert County Hospital to have any financial or beneficial interest in, or receive anything of value or promise thereof for the purchase, or contract to purchase insurance, personal property, or contractual service for such hospital; and to prescribe penalties for the violation of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. It is unlawful for a member of the Colbert County Hospital Board or like governing body of such hospital to have a financial or personal beneficial interest, either directly or indirectly, in the purchase of, or a contract to purchase insurance, personal property or services for the Colbert County Hospital; to have a financial or beneficial interest in any firm, partnership, association or corporation furnishing such personal property or contractual service to the hospital; or to demand, ask for, bargain for, ~~take or agree to take or receive directly or indirectly, from any person,~~ firm or corporation to whom such a purchase or contract may be awarded any rebate, discount, drawback, commission, gift, gratuity, or promise therefor. Whoever violates this Act is guilty of a misdemeanor and shall be punished as prescribed by law.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. F. Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Colbert County Reporter, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, May 31, June 7, and June 14, all in the year 1962.

W. F. MILLER.

Sworn to and subscribed before me 18th day of June, 1962.

FRANCES DI RAGO,
Title Notary Public.

By Mr. Guthrie:

H. 99. To provide an allowance for expenses to the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000.

Local Legislation No. 1.

By Messrs. Johnson (Hardaway) and Johnston (Leonard) (with notice and proof):

H. 100. To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Local Legislation No. 1.

Notice and Proof H. 100:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) The following officers of Elmore County shall be entitled to receive annual salaries in lieu of any fees, commissions, allowances, percentages, charges, and costs, except as herein otherwise provided:

1. The judge of probate shall receive an annual salary of ten thousand dollars, which shall include compensation for all ex officio duties.

2. The sheriff shall receive an annual salary of nine thousand dollars. The sheriff shall also be entitled to an allowance of two hundred dollars a month for travel expenses.

3. The tax assessor shall receive an annual salary of eight thousand four hundred dollars.

4. The tax collector shall receive an annual salary of seven thousand two hundred dollars.

5. The clerk of the circuit court shall receive an annual salary of six thousand six hundred dollars, which shall include his compensation for all ex officio duties including services as ex officio Clerk of the Elmore County Court.

6. The register of the circuit court shall receive an annual salary of one thousand eight hundred dollars.

(b) The court of county commissioners, board of revenue, or other like governing body of Elmore County may, in its discretion, decrease the salaries of any one or more of the officers enumerated in subsection (a) provided that such decrease shall not take effect during the term for which officer was elected or appointed, and provided also that the salary of the judge of probate shall not be reduced below seven thousand two hundred dollars per annum, the salary of the sheriff shall not be reduced below six thousand dollars per annum, the salary of the tax assessor shall not be reduced below five thousand four hundred dollars per annum, the salary of the tax collector shall not be reduced below five thousand dollars per annum, the salary of the clerk of the circuit court shall not be reduced below five thousand dollars per annum, and the salary of the register of the circuit court shall not be reduced below twelve hundred dollars per annum.

Section 2. The court of county commissioners, board of revenue, or other like governing body of Elmore County, shall provide compensation for clerks, assistants and secretaries for the offices enumerated in this Act in such number as may be necessary for the efficient conduct of their offices; provided, the judge of probate shall not be allowed more than two full time clerks, the sheriff shall be allowed a jailer and the same number of deputies and other assistants as are now provided by law who shall receive the compensation and allowances as may be prescribed by law, the clerk of the circuit court shall not be allowed more than two full time clerks, the tax assessor shall not be allowed more than one full time clerk, the tax collector shall not be allowed more than one full time clerk, and the register of the circuit court shall not be allowed any full time clerks. Each officer shall appoint his own deputies, clerks, secretaries, and assistants, and shall fix their compensation, subject to the approval of the board of revenue, county commissioners, or other like county governing body as to number and rate of pay, except as herein otherwise provided. The sheriff shall also be allowed to appoint one full time clerk whose compensation shall be fixed by the county governing body.

Section 3. The fees, commissions, percentages, allowances, charges, and court costs heretofore collectible for the use of any of the officers enumerated in Section 1 of this Act shall hereafter be collected for the use of the county and shall be paid into the general fund of the county. Provided, the sheriff shall be entitled to the allowances payable by the state for feeding prisoners and also such mileage and expense allowances as may be payable according to law for returning or transferring prisoners and insane persons to or from points outside Elmore County. The compensation of the officers enumerated in Section 1, and of their clerks, deputies, secretaries, and other assistants shall be paid in equal monthly installments from the general fund of the county in the same manner as employees of the county are paid.

Section 4. The court of county commissioners, board of revenue, or other like governing body of Elmore County shall provide the judge of probate, sheriff, tax assessor, tax collector, clerk of the circuit court, and register of the circuit court, with the books, stationery, office equipment, supplies, postage, and other conveniences as may be necessary for the proper and efficient conduct of the affairs of their respective offices, but not including motor vehicles; and may provide for the installation, repair, and maintenance of an inter-communication system for the sheriff and his deputies.

Section 5. The provisions of this Act are severable. If any part of

the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective as to each county office specified at the expiration of the term of the incumbent officer, and upon the approval of the Act by a majority of the qualified electors of the county who vote thereon at a referendum election held for that purpose. The referendum shall be held on the same day as the next general election for state officers, and the question to be submitted shall be stated on the ballots or voting machine tabs substantially as follows: Do you favor adoption of the Act of the Legislature providing for compensation of Elmore County officers on salary basis? The court of county commissioners, board of revenue or other like governing body of the county shall call and provide for holding the referendum, which shall be held and conducted as nearly as may be in the same manner as elections providing for the levy of county school taxes. The probate judge of the county shall certify the results of the referendum to the Secretary of State of Alabama within 30 days after the election returns have been canvassed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bruce Jetton, who, being by me first duly sworn, deposes and says that during the times herein mentioned, he was Publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, May 31, June 7, and June 14, all in the year 1962.

BRUCE JETTON.

Sworn to and subscribed before me June 15th, 1962.

JAMES A. NOBLE,
Title Notary Public.

By Messrs. Johnson (Hardaway) and Johnston (Leonard) (with notice and proof):

H. 101. To amend Act. No. 49, H. 213, Regular Session 1957, which provides for a Chief Deputy Sheriff and other Deputies Sheriff of Elmore County and regulates their compensation, allowances, and expenses (Acts 1957, vol. I, p. 92).

Local Legislation No. 1.

Notice and Proof H. 101:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act. No. 49, H. 213, Regular Session 1957, which provides for a Chief Deputy Sheriff and other Deputies Sheriff of Elmore County and regulates their compensation, allowances, and expenses (Acts 1957, vol. I, p. 92).

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 2, 3, 4, 5, 6, 7 and 8 of Act No. 49, H. 213, Regular Session 1947, an Act providing for a Chief Deputy Sheriff and other Deputies Sheriff of Elmore County and regulating their compensation, allowances, and expenses (Acts 1957, vol. I, p. 92), are hereby amended to read as follows:

"Section 2. The Chief Deputy Sheriff shall receive a salary of not less than three thousand six hundred dollars nor more than four thousand eight hundred dollars a year, the same to be fixed by the Court of County Commissioners of said County.

"Section 3. The said Sheriff may also have a Deputy Sheriff who shall receive a salary of not less than three thousand three hundred dollars nor more than four thousand five hundred dollars a year, the same to be fixed by the Court of County Commissioners of said County.

"Section 4. Said Sheriff may also have a Deputy who shall receive a salary of not less than three thousand three hundred dollars nor more than four thousand five hundred dollars a year, the same to be fixed by the Court of County Commissioners of said County.

"Section 5. Said Sheriff may also have a deputy who shall receive a salary of not less than three thousand three hundred dollars nor more than four thousand five hundred a year, the same to be fixed by the Court of County Commissioners of said County, and whose duties shall be performed principally in that section of Elmore County west of the Coosa River.

"Section 6. The said Chief Deputy and the Deputies authorized in Sections 4 and 5 hereof, in addition to the regular monthly compensation, shall each be paid for traveling in the performance of his official duties as such Chief Deputy and Deputies in all cases where he provides his own vehicle and pays for operating the same, the sum of \$200.00 a month for expenses.

"Section 7. Said Sheriff may also have an additional Deputy who shall receive a salary of not less than one thousand six hundred fifty dollars a year nor more than two thousand two hundred fifty dollars a year, the same to be fixed by the Court of County Commissioners of said County, and whose duties shall be performed principally in the vicinity of Martin Lake; said compensation to be payable in equal monthly installments, and in addition to said salary, said Deputy shall be entitled to expenses for traveling in the performance of his official duties at the rate of \$200.00 a month.

"Section 8. The regular annual salaries of the Chief Deputy and other Deputies hereinabove provided for shall be payable in equal monthly installments out of the general fund of the County or out of the county highway and traffic fund, whichever the county governing body may prescribe, and

all travel expenses hereinabove provided for shall be paid each month from either of such funds in the county treasury upon presentation of claims therefor filed with the Court of County Commissioners of said County."

Section 2. This Act shall take effect only upon the approval by the voters of Elmore County of an Act enacted at the current session of the legislature entitled "An Act to change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such bases." If that Act is not approved as prescribed therein, this Act shall not have any effect.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bruce Jetton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, May 31, June 7, and June 14, all in the year 1962.

BRUCE JETTON.

Sworn to and subscribed before me June 15th, 1962.

JAMES A. NOBLE,
Title Notary Public.

By Messrs. Hanby and Copeland:

H. 102. To amend Section 1 of Act No. 158, H. 399, approved August 1, 1961 (Acts of Alabama 1961, p. 206) which act regulates the compensation of coroners in counties of not less than 96,000 nor more than 106,000 population, so as to authorize the payment of an expense allowance to the coroner in any such county.

Local Legislation No. 1.

By Messrs. Hanby and Copeland:

H. 103. To provide for the distribution and use of revenue received from the property tax levied as authorized by Amendment CCIII of the Constitution of Alabama 1901 in any county having a population of not less than 96,000 nor more than 106,000.

Local Legislation No. 1.

By Mr. Avery:

H. 104. Proposing an amendment to the Constitution of Alabama 1901 providing for a senator for each county and 92 members of the house of representatives, to be apportioned among the several counties.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Mr. Long (Lauderdale):

H. 105. To prohibit the governing bodies of all cities and towns of counties having populations of not less than 61,000 nor more than 65,000 from licensing certain businesses, trades, and professions outside the corporate limits of such cities and towns.

Local Legislation No. 1.

By Messrs. Murphy, Engel and Rogers (Mobile) (with notice and proof):

H. 106. To amend the Title and Sections 1 and 2 of Act No. 839, H. 1516, of the 1961 Legislature, approved September 8, 1961, entitled "An Act to authorize and direct the county governing body of Mobile County to pay certain sums as supplementary pension payments to certain employees of the county entitled to retirement pay from sources to which the county has contributed."

Local Legislation No. 1.

Notice and Proof H. 106:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application will be made for its passage, to wit:

A BILL TO BE ENTITLED AN ACT

To amend the Title and Sections 1 and 2 of Act No. 839, H. 1516, of the 1961 Legislature, approved September 8, 1961, entitled "An Act to authorize and direct the county governing body of Mobile County to pay certain sums as supplementary pension payments to certain employees of the county entitled to retirement pay from sources to which the county has contributed."

Be It Enacted by the Legislature of Alabama:

Section 1. The Title of Act No. 839, approved September 8, 1961, is amended to read as follows: "An Act to authorize and direct the county governing body of Mobile County to pay certain sums as pensions or supplementary pension payments to certain employees and former employees of Mobile County or any court or agency thereof."

Section 2. Section 1 of Act No. 839, approved September 8, 1961, is amended to read as follows:

Section 1. For the purpose of this Act the following shall apply:

(1) The term "employee" as used in this Act shall mean any person employed by the county or any court or other county agency for remuneration no matter how paid, and regardless of the status of his employment, whether under civil service, as a day laborer, or by appointment. The term "employee" shall be interpreted broadly by the county governing body in the application of this Act.

(2) Whenever a number of years of employment is specified herein it shall mean continuous employment, uninterrupted for any reason other than a temporary, lingering illness or disability, or military service.

(3) A person who shall acquire the necessary years of employment as prescribed herein, but who shall leave such employment prior to attaining the age of fifty years, shall not be entitled to benefits under this Act unless the termination of employment shall be for reason of health of the employee or a member of his immediate family or military service of the employee, the determination of his eligibility or ineligibility for such benefits to be determined by the County Commission of Mobile County.

(4) No person shall be entitled to be paid any of the benefits under the provisions of this Act prior to attaining the age of sixty-two years, except as provided in Section 3 (4) hereof.

(5) Retirement under this Act shall mean final separation from employment by the county, or any court or agency thereof, and no benefits shall be paid to retired employees who become reemployed by the county on a part or full time basis, during such re-employment.

(6) The term "court" shall include the Circuit Court of the Thirteenth Judicial Circuit.

(7) The provisions of this Act shall apply to all former employees of Mobile County, or any court or agency thereof, regardless of the date of their retirement provided the age and years of employment requirements were fulfilled by the former employee.

(8) Retirement under this Act shall not require the retiree to discontinue all gainful employment in order to be eligible to receive the benefits provided herein; provided, however, that a retiree under this Act who is or becomes ineligible to draw Social Security payments, because of income derived from such employment, shall be entitled to benefits under this Act only in such amount as he would have been entitled to receive if he were actually drawing his full Social Security benefits; and further provided that such gainful employment is restricted by the provisions of Section 1 (5) hereof.

(9) Retirement eligibility, once established, is permanent and shall not be lost by an absence and subsequent re-employment except as provided in Section 1 (5) hereof.

(10) No payment of benefits provided for in this Act shall be retroactive beyond the date of application therefor. No application may be dated prior to the effective date of this Act.

(11) In computing the amount of retirement benefits payable hereunder by the County to any particular applicant who declined to be covered by a pension plan and/or Social Security when it was optional on his part and to which the County would have contributed had the applicant exercised his right to be covered thereby the County shall deduct from the monthly amount of the supplementary pension to be paid hereunder an amount or amounts equal to the monthly benefits the applicant would have received from such other pension and/or Social Security had he chosen to be covered by the offered pension plan and/or Social Security.

(12) In computing benefits payable under this Act, payments made to

a spouse of a retiree under the Social Security laws, as a result of the employee's coverage thereunder, shall not be counted in the amount of pension payments received from a source or sources to which the County shall have contributed.

(13) Service in any branch of the military during time of war or national emergency by an employee shall be counted as though the employee were in the employment of the County during the entire period.

Section 3. Section 2 of Act No. 839, approved September 8, 1961, is amended as follows; After the period at the end of the last sentence add the following:

"Provided, however, that an applicant who meets the years of employment and age requirements, but on whose behalf no payments were made into a retirement fund or Social Security by the County due to the non-existence of the retirement fund or Social Security System at the time of employment of the applicant, or his ineligibility for participation at the time of establishment of the retirement fund or coverage of County employees under the Social Security System, shall be entitled to benefits under this Act, and the County shall make pension or supplementary pension payments to such person to provide the maximum applicable benefits allowable under Section 3 hereof."

Section 4. On or after the effective date of this Act any person who claims to be entitled to benefits under the terms of this Act shall make written application therefor to the County Commission of Mobile County in the manner and form prescribed by said Commission and such County Commission shall determine the eligibility of such applicant for benefits ~~hereunder and the amounts of said benefits if any.~~

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective October 1, 1962.

W. F. EGAN being sworn, says that he is COMPTROLLER of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register May 26, June 2, 9, 16, 1962.

W. F. EGAN.

Sworn to and subscribed before me this 18 day of June 1962.

DAN E. MILLER, JR.,
Notary Public.

By Messrs. Engel, Rogers (Mobile) and Murphy:

H. 107. To further amend Section 4(a) of act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of

the domestic relations division of the circuit court shall be ex officio judge of the juvenile court" (Act No. 345, S. 291, 1955 Acts Vol. II, p. 783).

Local Legislation No. 1.

By Mr. Murphy:

H. 108. To amend Section 13 of Act No. 934 of the 1961 Legislature approved September 9, 1961 to provide for further distribution of the costs of carrying out the provisions of said Act.

Local Legislation No. 1.

By Messrs. Bailey, Pierce, Goldthwaite and Goodwyn:

H. 109. Relating to taxation in counties having populations of not less than 150,000 nor more than 300,000; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

Local Legislation No. 1.

By Messrs. Goodwyn, Bailey, Pierce and Goldthwaite:

H. 110. Relating to counties having populations of not less than 140,000 nor more than 250,000; to provide the procedure for initiating complaints under Act No. 295, Special Session, 1961, approved September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940.

Local Legislation No. 1.

By Messrs. Brewer and Gilchrist:

H. 111. To amend the title and Section 1 of Act No. 541, H. 512, approved August 28, 1951 (Acts 1951, p. 953) which provides for the allocation of the duties of the chairman and members of the city commission in certain cities classified on a population basis.

Local Legislation No. 1.

By Messrs. Nichols and Camp:

H. 112. To authorize and provide for the establishment of a junior college to be located in any county having a population of not less than 65,000 nor more than 95,000 inhabitants; to create a board of trustees to govern such college; to authorize the board of trustees to select the location for such college, name it, appoint a president and certain other officers therefor, and prescribe rules and regulations to govern the college; to constitute the college a body corporate upon compliance with certain conditions; to authorize the board of trustees to accept gifts, donations, devises, and bequests; and to buy, hold, sell or otherwise dispose of real and personal property for and in the name of the college; to authorize the governing body of any such county and of each incorporated municipality in any such county to make appropriations of public funds in aid of the college; to authorize the board of education of any such county and the board of education of any incorporated municipality therein to use public school funds in aid of such college and to provide transportation and certain other facilities to students attending the college; to exempt from taxation the property of the college; and to exempt officers and employees of the college from certain civil duties and from certain municipal privilege licenses.

Local Legislation No. 1.

By Mr. Ferguson:

H. 113. To make an appropriation to the Alabama Building Commission for the purpose of buying, renovating and maintaining certain property in Tuscaloosa County as a state shrine.

State Administration.

By Mr. Callahan:

H. 114. Providing and to provide for the taking of depositions in connection with any controversy, suit, case, cause or proceeding pending or to be tried in any court of record in counties in Alabama having a population of not less than 100,000 people nor more than 115,000 people according to the 1960 or any subsequent Federal census of witnesses and parties for discovery or evidence in any controversy, suit, case, proceeding or cause at law or in equity contemplated or provided by Act 375 of Acts of Alabama of 1955, 1955 Acts of Alabama, Page 901, et sequitur, or any amendment thereof or thereto, or to which the provisions thereof are made applicable by other laws of Alabama, by Commissioners; fixing the power and authority of such Commissioners to take such depositions and conduct hearings therefor and to issue subpoenas and subpoenas duces tecum to witnesses and parties for the purpose of taking such depositions, providing for the compensation of such witnesses and parties and fixing the schedule of fees for such Commissioners for taking and certifying such depositions and providing for the taxing of such fees as costs.

Local Legislation No. 1.

By Messrs. Shumate and Guthrie:

H. 115. To amend Section 456 of Title 51, Code of Alabama 1940, which prescribes the license fees for advertising companies.

State Administration.

By Mr. Hankins:

H. 116. Relating to counties having populations of not less than 13,900 nor more than 14,300; providing an additional deputy sheriff for such counties whose compensation shall be payable from the county highway and traffic fund.

Local Legislation No. 1.

By Messrs. Avery and Ramey:

H. 117. To apply only in counties of the state having populations of not less than 19,500 nor more than 20,000 inhabitants according to the last or any subsequent federal decennial census, to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Local Legislation No. 1.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Bailey, Pierce, Goldthwaite and Goodwyn:

H. J. R. 11. WHEREAS, the tragic crash of an airplane in Paris,

France on June 3rd, 1962 resulted in the loss of life to many residents of the State of Georgia, and particularly of the City of Atlanta, and

WHEREAS, these residents were outstanding in their leadership and contribution to the cultural and educational fields of their community, and

WHEREAS, their untimely deaths result in an irreparable loss to their city and state, and

WHEREAS, the State of Alabama feels keenly the profound sorrow suffered by her sister State of Georgia, and

WHEREAS, the State of Alabama mourns the loss of three of its own beloved and esteemed native Alabamians, Mrs. Frank McPherson and her daughters, Mrs. William Inge Hill and Mrs. Frank Virgin; now therefore,

Be It Resolved by the Legislature of Alabama:

That the State of Alabama expresses its deepest and heartfelt sympathy to the State of Georgia, to the City of Atlanta, to the survivors of all those who lost their lives, and especially to the families of Mrs. McPherson, Mrs. Hill, and Mrs. Virgin.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to the Legislature of the State of Georgia, to the Mayor of Atlanta, and to the families of Mrs. McPherson, Mrs. Hill, and Mrs. Virgin.

On motion of Mr. Bailey the rules were suspended and H. J. R. 11 was adopted.

Also:

By Messrs. Perry, Sessions, Morrow, Locke, Edwards, Hawkins and Rast:

H. J. R. 12. WHEREAS, the citizens of the great State of Alabama heretofore have not been privileged to enjoy cinerama within the state; and,

WHEREAS, cinerama is recognized to be the biggest new form of entertainment introduced in years; and,

WHEREAS, citizens of this great state have expressed their desire for an installation of this entertainment within our state and to afford them the opportunity of an enjoyment shared by most states of the union in the viewing of cinerama; and,

WHEREAS, one such exclusive installation of cinerama, one of thirty in the nation, now is being created for the enjoyment of the citizens of this state, the same being centrally located at the Ritz Theatre in Birmingham, Alabama, and there being no other such installation within the state or planned for the state;

THEREFORE, BE IT RESOLVED that this body, representing the citizens of Alabama, does hereby recognize the state wide significance of this event and does hereby express a welcome to cinerama to the State of Alabama and declare the same to be an addition to the many fine entertainment events enjoyed by thousands of our citizens; further, be it resolved

that we hope cinerama may have long life and success in serving Alabama citizens and providing them with full enjoyment of this new and fascinating entertainment; be it further resolved that greetings and best wishes of this body be expressed to the management of the Ritz Theatre of Birmingham, Alabama for their undertaking and that the great seal of the State of Alabama be affixed to a copy of this document and forwarded to the management of Wilby-Kincey Theatres, Birmingham, Alabama.

On motion of Mr. Perry the rules were suspended and H. J. R. 12 was adopted.

BILLS ON THIRD READING H. 31 POSTPONED

On motion of Mr. Perry, consideration of the bill, H. 31, was postponed until the next legislative day without losing its place on the Calendar.

And the bill:

H. 32. To confer upon the Alabama Public Service Commission exclusive authority and power to regulate the rates of and to supervise certain public utilities the operation of which are exempt, in whole or in part, from the provisions of the Alabama Motor Carrier Act of 1939, and which said utilities are engaged in business as common carriers of passengers for hire within counties having a population of 500,000 or more inhabitants according to the latest or any subsequent federal census.

Was taken up.

Mr. Perry offered the following amendment to the bill, H. 32:

House Bill No. 32 is hereby amended in the following respects:

In the title thereof, add an "s" to the word "operation," so as to pluralize said word.

In Section 1(a), add a semi-colon after the word "amended," and before the word "but."

In Section 1(b), add a semi-colon after the word "corporation" and before the word "any," and delete the conjunction "or" appearing between said words "corporation" and "any" in the bill as introduced.

Add the following sub-section to Section 1 of the bill as introduced:

"(d) The word 'person' shall mean and include any juristic entity except a municipal corporation and shall include, though not by way of limitation, any natural person or association of such persons, any partnership, any joint venture, any firm, any joint-stock company, any private corporation, and any business trust. Said term also shall include any lessee, trustee, receiver or assignee of the assets or estate of any juristic entity subject to the provisions hereof, but only to the extent that such assets or estate is employed in and about the business of common carriage of passengers for hire within counties having a population of 500,000 or more inhabitants according to the latest or any succeeding federal census. Said term, as herein employed, shall also include the personal representative of a natural person."

Strike all of Section 2 and substitute therefor, and in lieu thereof, the following:

"Section 2. Authority and power granted, and duties imposed.

(a) As to utilities as defined in Section 1 hereof, there hereby is granted to the commission the following authority and powers:

(1) exclusive authority and power to regulate the rates and supervise the service of said utilities; and, in addition,

(2) all the authority and powers which have heretofore been granted to the commission, with respect to other utilities, as therein confined, in and by §§1 through 101 and §§302 through 352 of Tit. 48 of the 1940 Code of Alabama, as recompiled.

(b) (1) The commission shall inquire into the management of the business of any such utility; shall keep itself informed as to the manner and method in which such business is conducted; and, in general, though not by way of limitation, shall have and exercise or discharge all the powers and duties conferred with respect to the utilities therein mentioned in and by §18 of Tit. 48 of the 1940 Code of Alabama, as recompiled.

(2) In addition to the foregoing, all the duties imposed upon the commission in and by §§1 through 101 and §§302 through 352 of Tit. 48 of the 1940 Code of Alabama, as recompiled, are hereby imposed upon the commission with respect to utilities as hereinabove defined.

(c) All the duties imposed upon utilities, as therein defined, in and by the aforesaid §§1 through 101 and §§302 through 352 of Tit. 48 of the 1940 Code of Alabama, as recompiled, are hereby imposed upon utilities as defined in Section 1 hereof.

(d) All the privileges and immunities conferred upon or reserved to utilities, as therein defined, in and by §§1 through 101 and §§302 through 352 of Tit. 48 of the 1940 Code of Alabama, as recompiled, are hereby conferred upon or reserved to utilities as defined in Section 1 hereof.

(e) The powers herein conferred and the duties herein imposed shall be exercised or discharged in the manner, and in compliance with the standards, prescribed in and by §§1 through 101 and §§302 through 352 of Tit. 48 of the 1940 Code of Alabama, as recompiled."

And the amendment was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Brannan	Cates	Edwards
Adams	Branyon	Cook	Engel
Albea	Brewer	Copeland	Faulk
Bailey	Britton	Cornett	Ferguson
Barnett	Brooks	Daniel	Franklin
Bassett	Cabiness	Dickson	Gilmer
Bevill	Camp	Dodd	Glass
Bishop	Casey	Dunn	Goldthwaite

Goodwyn	Johnson (Hardaway)	Nettles	Salter
Gordon	Johnston (Leonard)	Oakley	Self
Grant	Jones (Covington)	Oden	Sessions
Gross	Jones (Monroe)	Owens	Shumate
Grouby	Lee	Perry	Smith (St. Clair)
Guthrie	Locke	Pierce	Solomon
Hain	Long (Perry)	Powell	Sorrell
Hanby	McClendon (Chambers)	Pruitt	Steagall
Hankins	McCorquodale	Ramey	Sullivan
Hardy	McLendon (Bullock)	Rast	Taylor
Harris	Martin	Ray	Thomas
Harvey	Merrill	Reynolds (Madison)	Torbert
Hawkins	Morrow	Rogers (Macon)	Turner
Hearn	Murphy	Rogers (Mobile)	Turnham
Ingram			

—89

On motion of Mr. Locke, further consideration of the bill, H. 32, as amended, was temporarily postponed.

H. 75 POSTPONED

On motion of Mr. Hawkins, consideration of the bill, H. 75, was postponed until the next legislative day without losing its place on the Calendar.

And the bill:

H. 4. To provide further for election of the chairman and members of the board of education of Autauga County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hankins	Meade
Albea	Daniel	Hardy	Merrill
Avery	Dickson	Harris	Morrow
Bailey	Dunn	Harvey	Murphy
Barnett	Edwards	Hawkins	Nettles
Bassett	Engel	Hearn	Oakley
Bevill	Ferguson	Ingram	Oden
Bishop	Ford	Jenkins	Owens
Brannan	Franklin	Johnson (Hardaway)	Perry
Branyon	Gilmer	Johnston (Leonard)	Pierce
Brewer	Glass	Jones (Covington)	Powell
Britton	Goldthwaite	Jones (Monroe)	Pruitt
Broadfoot	Goodwyn	Lee	Ramey
Brooks	Gordon	Locke	Rast
Cabiness	Grant	Long (Lauderdale)	Ray
Camp	Gross	Long (Perry)	Reynolds (Madison)
Casey	Grouby	McClendon (Chambers)	Rogers (Macon)
Cates	Guthrie	McCorquodale	Rogers (Mobile)
Cook	Hain	McLendon (Bullock)	Salter
Copeland	Hanby	Martin	Self

Sessions	Solomon	Sullivan	Turner
Shumate	Sorrell	Taylor	Turnham
Smith (Russell)	Steagall	Thomas	Vickers
Smith (St. Clair)			

—93

And the bill:

H. 6. To make an appropriation from the county treasury of Calhoun County for the relief of M. S. Nelson.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Pierce
Adams	Dodd	Jenkins	Powell
Albea	Dunn	Johnson (Hardaway)	Ramey
Avery	Engel	Johnston (Leonard)	Rast
Bailey	Faulk	Jones (Covington)	Ray
Barnett	Ferguson	Jones (Monroe)	Reynolds (Madison)
Bassett	Franklin	Lee	Rogers (Macon)
Bevill	Gilmer	Locke	Rogers (Mobile)
Bishop	Glass	Long (Lauderdale)	Salter
Brannan	Goldthwaite	Long (Perry)	Self
Branyon	Goodwyn	McClendon (Chambers)	Sessions
Brewer	Gordon	McCorquodale	Shumate
Britton	Grant	McLendon (Bullock)	Smith (Russell)
Broadfoot	Gross	Martin	Smith (St. Clair)
Brooks	Grouby	Meade	Solomon
Cabiness	Guthrie	Merrill	Sorrell
Camp	Hain	Morrow	Steagall
Casey	Hanby	Murphy	Sullivan
Cates	Hankins	Nettles	Taylor
Cook	Hardy	Oakley	Thomas
Copeland	Harris	Oden	Turner
Cornett	Harvey	Owens	Turnham
Daniel	Hearn	Perry	Vickers

—92

And the bill:

H. 7. To authorize the City of Anniston, Alabama, to sell to Alabama Society for Crippled Children & Adults, a corporation, for its reasonable market value the following described real property, to-wit:

Beginning at the northeast corner of the intersection of Walnut Avenue with Thirteenth Street in the City of Anniston, Alabama; thence north along the east boundary line of Walnut Avenue a distance of 100 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street a distance of 50 feet to a point; thence south and parallel with the east boundary line of Walnut Avenue a distance of 40 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street, to a point on the west boundary line of Moore Avenue; thence south along the west boundary line of Moore Avenue a distance of 60 feet to its point of intersection with the north boundary line of Thirteenth Street; thence west

along the north boundary line of Thirteenth Street a distance of 150 feet to the point of beginning, said property being situated in the City of Anniston, Calhoun County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dodd	Harvey	Perry
Adams	Dunn	Hawkins	Pierce
Albea	Edwards	Hearn	Powell
Avery	Engel	Jenkins	Ramey
Bailey	Faulk	Johnson (Hardaway)	Rast
Barnett	Ferguson	Johnston (Leonard)	Ray
Bassett	Ford	Jones (Covington)	Reynolds (Madison)
Bevill	Franklin	Jones (Monroe)	Rogers (Macon)
Bishop	Gilchrist	Lee	Rogers (Mobile)
Brannan	Gilmer	Locke	Salter
Branyon	Glass	Long (Lauderdale)	Self
Brewer	Goldthwaite	Long (Perry)	Sessions
Britton	Goodwyn	McClendon (Chambers)	Shumate
Broadfoot	Gordon	McCorquodale	Smith (Russell)
Brooks	Grant	McLendon (Bullock)	Smith (St. Clair)
Cabiness	Gross	Meade	Solomon
Camp	Grouby	Merrill	Sorrell
Casey	Guthrie	Morrow	Steagall
Cates	Hain	Murphy	Sullivan
Cook	Hanby	Nettles	Thomas
Copeland	Hankins	Oakley	Turner
Daniel	Hardy	Oden	Turnham
Dickson	Harris	Owens	Vickers

—92

And the bill:

H. 8. To establish an inferior court to be called the Intermediate Civil Court of Calhoun County, Alabama; to provide for the judge, clerks and other officers, their selection and duties; to provide for the jurisdiction, practice and procedure of said court; to provide for the transfer of causes from said court to the circuit court; and to provide for appeals from said court and regulate the manner of taking same.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bevill	Cabiness	Daniel
Adams	Bishop	Camp	Dickson
Albea	Brannan	Casey	Dodd
Avery	Brewer	Cates	Dunn
Bailey	Britton	Cook	Edwards
Barnett	Broadfoot	Copeland	Engel
Bassett	Brooks	Cornett	Faulk

Ferguson	Harvey	Meade	Rogers (Mobile)
Ford	Hawkins	Merrill	Salter
Franklin	Hearn	Morrow	Self
Gilchrist	Ingram	Murphy	Sessions
Gilmer	Jenkins	Nettles	Shumate
Glass	Johnson (Hardaway)	Oakley	Smith (Russell)
Goodwyn	Johnston (Leonard)	Oden	Smith (St. Clair)
Gordon	Jones (Covington)	Owens	Solomon
Grant	Jones (Monroe)	Perry	Sorrell
Gross	Lee	Pierce	Steagall
Grouby	Locke	Powell	Sullivan
Guthrie	Long (Lauderdale)	Ramey	Taylor
Hain	Long (Perry)	Rast	Thomas
Hanby	McClendon (Chambers)	Ray	Turner
Hankins	McCorquodale	Reynolds (Madison)	Turnham
Hardy	McLendon (Bullock)	Rogers (Macon)	Vickers
Harris	Martin		

—94

And the bill:

H. 17. Relating to municipalities having populations of not less than 48,000 nor more than 60,000, according to the most recent federal decennial census; limiting their authority to impose privilege license taxes.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Dodd	Hearn	Perry
Adams	Dunn	Ingram	Pierce
Albea	Engel	Jenkins	Powell
Avery	Faulk	Johnson (Hardaway)	Ramey
Bailey	Ferguson	Johnston (Leonard)	Rast
Barnett	Ford	Jones (Covington)	Ray
Bassett	Franklin	Jones (Monroe)	Reynolds (Madison)
Bevill	Gilchrist	Lee	Rogers (Macon)
Bishop	Gilmer	Locke	Rogers (Mobile)
Brannan	Glass	Long (Lauderdale)	Salter
Branyon	Goldthwaite	Long (Perry)	Self
Brewer	Goodwyn	McClendon (Chambers)	Shumate
Britton	Gordon	McCorquodale	Smith (Russell)
Broadfoot	Grant	McLendon (Bullock)	Smith (St. Clair)
Brooks	Gross	Martin	Solomon
Cabiness	Grouby	Meade	Sorrell
Camp	Guthrie	Merrill	Steagall
Casey	Hain	Morrow	Sullivan
Cates	Hanby	Murphy	Taylor
Cook	Hankins	Nettles	Thomas
Copeland	Hardy	Oakley	Turner
Cornett	Harris	Oden	Turnham
Daniel	Harvey	Owens	Vickers
Dickson	Hawkins		

—94

And the bill:

H. 18. To regulate further the feeding of prisoners in jail in all counties having populations of not less than 96,000 nor more than 106,000,

according to the last or any subsequent federal decennial census; to provide for retroactive effect of the provisions of this Act, and to validate the payment to the sheriffs of such counties certain allowances which may have heretofore been made to them for the feeding of prisoners in county jails, and for preparing and serving such food.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Dickson	Harvey	Owens
Adams	Dodd	Hawkins	Pierce
Albea	Dunn	Hearn	Powell
Avery	Edwards	Ingram	Ramey
Bailey	Engel	Jenkins	Rast
Barnett	Faulk	Johnson (Hardaway)	Ray
Bassett	Ferguson	Johnson (J. T. Tom)	Reynolds (Madison)
Bevill	Ford	Johnston (Leonard)	Rogers (Macon)
Bishop	Franklin	Jones (Covington)	Rogers (Mobile)
Brannan	Gilchrist	Jones (Monroe)	Salter
Branyon	Gilmer	Lee	Self
Brewer	Glass	Locke	Sessions
Britton	Goldthwaite	Long (Lauderdale)	Shumate
Broadfoot	Goodwyn	Long (Perry)	Smith (Russell)
Brooks	Gordon	McClendon (Chambers)	Smith (St. Clair)
Cabiness	Grant	McCorquodale	Solomon
Camp	Gross	McLendon (Bullock)	Sorrell
Casey	Grouby	Meade	Steagall
Cates	Guthrie	Merrill	Sullivan
Chambers	Hain	Morrow	Taylor
Cook	Hanby	Murphy	Thomas
Copeland	Hankins	Nettles	Turner
Cornett	Hardy	Oakley	Turnham
Daniel	Harris	Oden	Vickers

—96

And the bill:

H. 47. Relating to counties having populations of not less than 150,000 nor more than 300,000 inhabitants: To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Bailey	Bishop	Britton
Adams	Barnett	Brannan	Broadfoot
Albea	Bassett	Branyon	Brooks
Avery	Bevill	Brewer	Cabiness

Camp	Goldthwaite	Jones (Monroe)	Rast
Casey	Goodwyn	Lee	Ray
Cates	Gordon	Locke	Reynolds (Madison)
Chambers	Grant	Long (Lauderdale)	Rogers (Macon)
Cook	Gross	Long (Perry)	Rogers (Mobile)
Copeland	Grouby	McClendon (Chambers)	Salter
Cornett	Guthrie	McCorquodale	Self
Daniel	Hain	McLendon (Bullock)	Sessions
Dickson	Hanby	Martin	Shumate
Dodd	Hardy	Meade	Smith (Russell)
Dunn	Harris	Merrill	Smith (St. Clair)
Edwards	Harvey	Morrow	Solomon
Engel	Hawkins	Murphy	Sorrell
Faulk	Hearn	Nettles	Steagall
Ferguson	Ingram	Oakley	Sullivan
Ford	Jenkins	Oden	Taylor
Franklin	Johnson (Hardaway)	Owens	Thomas
Gilchrist	Johnson (J. T. Tom)	Pierce	Turner
Gilmer	Johnston (Leonard)	Powell	Turnham
Glass	Jones (Covington)	Ramey	Vickers

—96

And the bill:

H. 48. Relating to cities having populations of not less than 100,000 nor more than 200,000 inhabitants: To provide for the payment of benefits to employees of any such city who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such city who are killed in the performance of their official duties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hardy	Nettles
Adams	Dickson	Harris	Oakley
Albea	Dodd	Harvey	Oden
Avery	Dunn	Hawkins	Owens
Bailey	Edwards	Hearn	Pierce
Barnett	Engel	Ingram	Powell
Bassett	Faulk	Johnson (Hardaway)	Ramey
Bevill	Ferguson	Johnson (J. T. Tom)	Rast
Bishop	Ford	Johnston (Leonard)	Ray
Brannan	Franklin	Jones (Covington)	Reynolds (Madison)
Branyon	Gilchrist	Jones (Monroe)	Roberts
Brewer	Gilmer	Lee	Rogers (Macon)
Britton	Glass	Locke	Rogers (Mobile)
Broadfoot	Goldthwaite	Long (Lauderdale)	Salter
Brooks	Goodwyn	Long (Perry)	Self
Cabiness	Gordon	McClendon (Chambers)	Sessions
Camp	Grant	McCorquodale	Shumate
Casey	Gross	McLendon (Bullock)	Smith (Russell)
Cates	Grouby	Martin	Smith (St. Clair)
Chambers	Guthrie	Meade	Solomon
Cook	Hain	Merrill	Sorrell
Copeland	Hanby	Morrow	Steagall
Cornett	Hankins	Murphy	Sullivan

Taylor
Thomas

Turner

Turnham

Vickers

—97

And the bill:

H. 49. To repeal Act No. 627 of the 1961 Regular Session of the Legislature of Alabama proposing an amendment to the Constitution of Alabama relative to the levying of additional taxes for school purposes within Montgomery County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Dickson	Harvey	Owens
Adams	Dodd	Hawkins	Pierce
Albea	Dunn	Hearn	Powell
Avery	Edwards	Ingram	Ramey
Bailey	Engel	Johnson (Hardaway)	Rast
Barnett	Faulk	Johnson (J. T. Tom)	Ray
Bassett	Ferguson	Johnston (Leonard)	Reynolds (Madison)
Bevill	Ford	Jones (Covington)	Rogers (Macon)
Bishop	Franklin	Jones (Monroe)	Rogers (Mobile)
Brannan	Gilchrist	Lee	Salter
Branyon	Gilmer	Locke	Self
Brewer	Glass	Long (Perry)	Sessions
Britton	Goldthwaite	McClendon (Chambers)	Shumate
Broadfoot	Goodwyn	McCorquodale	Smith (Russell)
Brooks	Gordon	McLendon (Bullock)	Smith (St. Clair)
Cabiness	Grant	Martin	Solomon
Camp	Gross	Meade	Sorrell
Casey	Grouby	Merrill	Steagall
Cates	Guthrie	Morrow	Sullivan
Chambers	Hain	Murphy	Taylor
Cook	Hanby	Nettles	Thomas
Copeland	Hankins	Oakley	Turnham
Cornett	Hardy	Oden	Vickers
Daniel	Harris		

—94

And the bill:

H. 54. To authorize the appointment of additional deputies sheriff in counties having populations of not less than 32,000 nor more than 33,000 inhabitants; to provide for their compensation; to provide for retroactive effect of the provisions of this act; to validate the appointment of deputies sheriff which may have been heretofore made, the payment to them of compensation, and the acts of such appointees which may have been required in performance of their official duties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Dodd	Hearn	Ramey
Adams	Dunn	Ingram	Rast
Albea	Edwards	Johnson (Hardaway)	Ray
Bailey	Engel	Johnson (J. T. Tom)	Reynolds (Madison)
Barnett	Faulk	Johnston (Leonard)	Roberts
Bassett	Ferguson	Jones (Covington)	Rogers (Macon)
Bevill	Ford	Lee	Rogers (Mobile)
Bishop	Franklin	Long (Perry)	Salter
Brannan	Gilchrist	McClendon (Chambers)	Self
Branyon	Gilmer	McCorquodale	Sessions
Brewer	Glass	McLendon (Bullock)	Shumate
Britton	Goodwyn	Martin	Smith (Russell)
Broadfoot	Gordon	Meade	Smith (St. Clair)
Brooks	Grant	Merrill	Solomon
Cabiness	Gross	Morrow	Sorrell
Camp	Grouby	Murphy	Speaks
Casey	Guthrie	Nettles	Steagall
Cates	Hain	Oakley	Sullivan
Chambers	Hanby	Oden	Taylor
Cook	Hankins	Owens	Thomas
Copeland	Hardy	Perry	Turner
Cornett	Harris	Pierce	Turnham
Daniel	Harvey	Powell	Vickers
Dickson	Hawkins		

—94

And the bill:

H. 62. Relating to counties having populations of not less than 54,000 nor more than 56,000; authorizing an appropriation from county funds for certain purposes.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Cook	Grouby	McClendon (Chambers)
Adams	Copeland	Guthrie	McCorquodale
Albea	Cornett	Hain	McLendon (Bullock)
Avery	Daniel	Hanby	Martin
Bailey	Dickson	Hankins	Meade
Barnett	Dodd	Hardy	Merrill
Bassett	Dunn	Harris	Morrow
Bevill	Edwards	Harvey	Murphy
Bishop	Engel	Hawkins	Nettles
Brannan	Faulk	Hearn	Oakley
Branyon	Ferguson	Ingram	Oden
Brewer	Ford	Johnson (Hardaway)	Owens
Britton	Franklin	Johnson (J. T. Tom)	Perry
Broadfoot	Gilchrist	Johnston (Leonard)	Pierce
Brooks	Gilmer	Jones (Covington)	Powell
Cabiness	Glass	Jones (Monroe)	Ramey
Camp	Goodwyn	Lee	Rast
Casey	Gordon	Locke	Ray
Cates	Grant	Long (Lauderdale)	Reynolds (Madison)
Chambers	Gross	Long (Perry)	Roberts

Rogers (Macon)	Shumate	Speaks	Thomas
Rogers (Mobile)	Smith (Russell)	Steagall	Turner
Salter	Smith (St. Clair)	Sullivan	Turnham
Self	Solomon	Taylor	Vickers
Sessions	Sorrell		

—98

And the bill:

H. 63. Relating to the Fourteenth Judicial Circuit; fixing the salary of the Official Court Reporter appointed by and serving under the Presiding Judge of such circuit and providing for the payment thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Dodd	Hearn	Powell
Adams	Dunn	Ingram	Ramey
Albea	Edwards	Johnson (Hardaway)	Rast
Avery	Engel	Johnson (J. T. Tom)	Ray
Bailey	Faulk	Johnston (Leonard)	Reynolds (Madison)
Barnett	Ferguson	Jones (Covington)	Roberts
Bassett	Ford	Jones (Monroe)	Rogers (Macon)
Bevill	Franklin	Lee	Rogers (Mobile)
Bishop	Gilchrist	Locke	Salter
Brannan	Gilmer	Long (Lauderdale)	Self
Branyon	Glass	Long (Perry)	Sessions
Brewer	Goldthwaite	McClendon (Chambers)	Shumate
Britton	Goodwyn	McCorquodale	Smith (Russell)
Broadfoot	Gordon	McLendon (Bullock)	Smith (St. Clair)
Brooks	Grant	Martin	Solomon
Cabiness	Gross	Meade	Sorrell
Camp	Grouby	Merrill	Speaks
Casey	Guthrie	Morrow	Steagall
Cates	Hain	Murphy	Sullivan
Chambers	Hanby	Nettles	Taylor
Cook	Hankins	Oakley	Thomas
Copeland	Hardy	Oden	Turner
Cornett	Harris	Owens	Turnham
Daniel	Harvey	Pierce	Vickers
Dickson			

—97

And the bill:

H. 64. To fix the time of holding meetings of the court of county commissioners, board of revenue, or other like governing body in all counties having a population of not less than 51,000 nor more than 56,000 inhabitants, and to repeal Act 139, H. 337, approved August 1, 1961 (Acts of Alabama 1961, vol. I, p. 177) and all conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Dodd	Hearn	Pierce
Adams	Dunn	Ingram	Powell
Albea	Edwards	Johnson (Hardaway)	Ramey
Avery	Engel	Johnson (J. T. Tom)	Rast
Bailey	Faulk	Johnston (Leonard)	Ray
Barnett	Ferguson	Jones (Covington)	Reynolds (Madison)
Bassett	Ford	Jones (Monroe)	Roberts
Bevill	Franklin	Lee	Rogers (Macon)
Bishop	Gilchrist	Locke	Rogers (Mobile)
Brannan	Gilmer	Long (Lauderdale)	Salter
Branyon	Glass	Long (Perry)	Self
Brewer	Goldthwaite	McClendon (Chambers)	Shumate
Britton	Goodwyn	McCorquodale	Smith (Russell)
Broadfoot	Gordon	McLendon (Bullock)	Smith (St. Clair)
Brooks	Grant	Martin	Solomon
Cabiness	Gross	Meade	Sorrell
Camp	Grouby	Merrill	Speaks
Casey	Guthrie	Morrow	Steagall
Cates	Hain	Murphy	Sullivan
Chambers	Hanby	Nettles	Taylor
Cook	Hankins	Oakley	Thomas
Copeland	Hardy	Oden	Turner
Cornett	Harris	Owens	Turnham
Daniel	Harvey	Perry	Vickers
Dickson			

—97

And the bill:

H. 71. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than 15,300 nor more than 15,400 according to the 1960 or any subsequent federal decennial census, and giving the act retroactive effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Chambers	Goodwyn	Jones (Monroe)
Adams	Cook	Gordon	Lee
Albea	Copeland	Grant	Locke
Avery	Cornett	Gross	Long (Lauderdale)
Bailey	Daniel	Grouby	Long (Perry)
Barnett	Dickson	Guthrie	McClendon (Chambers)
Bassett	Dodd	Hain	McCorquodale
Bevill	Dunn	Hanby	McLendon (Bullock)
Bishop	Edwards	Hankins	Martin
Brannan	Engel	Hardy	Merrill
Branyon	Faulk	Harris	Morrow
Brewer	Ferguson	Harvey	Murphy
Britton	Ford	Hearn	Nettles
Broadfoot	Franklin	Ingram	Oakley
Brooks	Gilchrist	Johnson (Hardaway)	Owens
Cabiness	Gilmer	Johnson (J. T. Tom)	Perry
Camp	Glass	Johnston (Leonard)	Pierce
Casey	Goldthwaite	Jones (Covington)	Powell

Ramey	Rogers (Mobile)	Smith (St. Clair)	Taylor
Rast	Salter	Solomon	Thomas
Ray	Self	Sorrell	Turner
Reynolds (Madison)	Sessions	Speaks	Turnham
Roberts	Shumate	Steagall	Vickers
Rogers (Macon)	Smith (Russell)		

—94

And the bill:

H. 72. Relating to counties having populations of not less than 15,300 nor more than 15,400 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law; giving the act retroactive effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Dodd	Hearn	Pierce
Adams	Dunn	Ingram	Powell
Albea	Edwards	Johnson (Hardaway)	Ramey
Avery	Engel	Johnson (J. T. Tom)	Rast
Bailey	Faulk	Johnston (Leonard)	Ray
Barnett	Ferguson	Jones (Covington)	Reynolds (Madison)
Bassett	Ford	Jones (Monroe)	Roberts
Bevill	Franklin	Lee	Rogers (Macon)
Bishop	Gilchrist	Locke	Rogers (Mobile)
Brannan	Gilmer	Long (Lauderdale)	Salter
Branyon	Glass	Long (Perry)	Self
Brewer	Goldthwaite	McClendon (Chambers)	Sessions
Britton	Goodwyn	McCorquodale	Smith (Russell)
Broadfoot	Gordon	McLendon (Bullock)	Smith (St. Clair)
Brooks	Grant	Martin	Solomon
Cabiness	Gross	Meade	Sorrell
Camp	Grouby	Merrill	Speaks
Casey	Guthrie	Morrow	Steagall
Cates	Hain	Murphy	Sullivan
Chambers	Hanby	Nettles	Taylor
Cook	Hankins	Oakley	Thomas
Copeland	Hardy	Oden	Turner
Cornett	Harris	Owens	Turnham
Daniel	Harvey	Perry	Vickers
Dickson	Hawkins		

—98

And the bill:

H. 73. To regulate the compensation of members of the county board of education in counties having populations of not less than 15,300 nor more than 15,400 inhabitants according to the 1960 federal decennial census; giving the Act retroactive effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Dodd	Hearn	Pierce
Adams	Dunn	Ingram	Powell
Albea	Edwards	Johnson (Hardaway)	Ramey
Avery	Engel	Johnson (J. T. Tom)	Rast
Bailey	Faulk	Johnston (Leonard)	Ray
Barnett	Ferguson	Jones (Covington)	Reynolds (Madison)
Bassett	Ford	Jones (Monroe)	Roberts
Bevill	Franklin	Lee	Rogers (Macon)
Bishop	Gilchrist	Locke	Rogers (Mobile)
Branyon	Gilmer	Long (Lauderdale)	Salter
Brewer	Glass	Long (Perry)	Self
Britton	Goodwyn	McClendon (Chambers)	Sessions
Broadfoot	Gordon	McCorquodale	Smith (Russell)
Brooks	Grant	McLendon (Bullock)	Smith (St. Clair)
Cabiness	Gross	Martin	Solomon
Camp	Grouby	Meade	Sorrell
Casey	Guthrie	Merrill	Speaks
Cates	Hain	Morrow	Steagall
Chambers	Hanby	Murphy	Sullivan
Cook	Hankins	Nettles	Taylor
Copeland	Hardy	Oakley	Thomas
Cornett	Harris	Oden	Turner
Daniel	Harvey	Owens	Turnham
Dickson	Hawkins	Perry	Vickers

—96

And the bill:

H. 74. To provide for the employment of a deputy clerk in the office of the clerk of the circuit court in counties of not less than 15,300 nor more than 15,400 population according to the last or any subsequent federal decennial census, and giving the Act retroactive effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Casey	Gilmer	Ingram
Adams	Cates	Glass	Johnson (Hardaway)
Albea	Chambers	Goldthwaite	Johnson (J. T. Tom)
Avery	Cook	Goodwyn	Johnston (Leonard)
Bailey	Copeland	Gordon	Jones (Covington)
Barnett	Cornett	Grant	Lee
Bassett	Daniel	Gross	Locke
Bevill	Dickson	Grouby	Long (Perry)
Bishop	Dodd	Guthrie	McClendon (Chambers)
Brannan	Dunn	Hain	McCorquodale
Branyon	Edwards	Hanby	McLendon (Bullock)
Brewer	Engel	Hankins	Martin
Britton	Faulk	Hardy	Meade
Broadfoot	Ferguson	Harris	Merrill
Brooks	Ford	Harvey	Morrow
Cabiness	Franklin	Hawkins	Murphy
Camp	Gilchrist	Hearn	Nettles

Oakley	Rast	Self	Steagall
Oden	Ray	Smith (Russell)	Sullivan
Owens	Reynolds (Madison)	Smith (St. Clair)	Taylor
Perry	Roberts	Solomon	Turner
Pierce	Rogers (Macon)	Sorrell	Turnham
Powell	Rogers (Mobile)	Speaks	Vickers
Ramey	Salter		

—94

And the bill:

H. 5. To make an additional appropriation for payment of expenses of the Legislature.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 1.

Yeas:

Mr. Speaker	Dodd	Hawkins	Powell
Adams	Dunn	Hearn	Pruitt
Albea	Edwards	Ingram	Ramey
Avery	Engel	Jenkins	Rast
Bailey	Faulk	Johnson (Hardaway)	Ray
Barnett	Ferguson	Johnson (J. T. Tom)	Reynolds (Madison)
Bassett	Ford	Johnston (Loomard)	Roberts
Bevill	Franklin	Jones (Covington)	Rogers (Macon)
Bishop	Gilchrist	Jones (Monroe)	Rogers (Mobile)
Brannan	Gilmer	Lee	Salter
Branyon	Glass	Long (Lauderdale)	Self
Brewer	Goldthwaite	Long (Perry)	Shumate
Britton	Goodwyn	McClendon (Chambers)	Smith (Russell)
Broadfoot	Gordon	McCorquodale	Smith (St. Clair)
Brooks	Grant	McLendon (Bullock)	Solomon
Cabiness	Gross	Meade	Sorrell
Camp	Grouby	Merrill	Speaks
Casey	Guthrie	Murphy	Steagall
Cates	Hain	Nettles	Sullivan
Chambers	Hanby	Oakley	Taylor
Cook	Hankins	Oden	Thomas
Copeland	Hardy	Owens	Turner
Cornett	Harris	Perry	Turnham
Daniel	Harvey	Pierce	Vickers
Dickson			

—97

Nay:

Mr. Martin

—1

POINT OF PERSONAL PRIVILEGE

Mr. Hawkins requested as a matter of personal privilege that the Journal show that he voted "yea" through mistake on the bill, H. 5, and requested that the Journal show that he desired to vote "nay".

RECESS

On motion of Mr. Pruitt the House recessed until 2:30 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:30 o'clock P. M. having arrived, the House reconvened. The Speaker called the House to order.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Pruitt to suspend the rules in order to allow the sponsors of each of the bills, H. 59, H. 60, H. 35 and H. 61, to explain their respective bills, was adopted.

Yeas 94; Nays 6.

Yeas:

Mr. Speaker	Edwards	Johnson (J. T. Tom)	Ray
Adams	Engel	Johnston (Leonard)	Reynolds (Chambers)
Albea	Faulk	Jones (Monroe)	Reynolds (Madison)
Avery	Ford	Lee	Roberts
Bailey	Franklin	Locke	Rogers (Macon)
Barnett	Gilchrist	Long (Perry)	Rogers (Mobile)
Bassett	Gilmer	McClendon (Chambers)	Salter
Bevill	Glass	McCorquodale	Self
Bishop	Goldthwaite	McLendon (Bullock)	Sessions
Brannan	Goodwyn	Martin	Shumate
Branyon	Gordon	Meade	Smith (Russell)
Brewer	Grant	Merrill	Smith (St. Clair)
Britton	Gross	Morrow	Solomon
Brooks	Grouby	Nettles	Sorrell
Cabiness	Hain	Oakley	Speaks
Camp	Hanby	Oden	Steagall
Casey	Hankins	Owens	Sullivan
Cates	Hardy	Perry	Taylor
Copeland	Harris	Pierce	Thomas
Cornett	Harvey	Powell	Torbert
Daniel	Hawkins	Pruitt	Turner
Dickson	Ingram	Ramey	Turnham
Dodd	Jenkins	Rast	Vickers
Dunn	Johnson (Hardaway)		

—94

Nays:

Messrs.	Callahan	Ferguson	Jones (Covington)
Broadfoot	Cook	Guthrie	

—6

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 12. Relative to cinerama in the State of Alabama.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Cooper:

S. 25. To amend Sections 2, 5, and 7 of Act No. 317 adopted at the 1943 Regular Session of the Legislature of Alabama so as to make changes in the provisions thereof respecting the details and sales of securities by Wilcox County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF WILCOX

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

TO AMEND SECTIONS 2, 5, AND 7 OF ACT NO. 317 ADOPTED AT THE 1943 REGULAR SESSION OF THE LEGISLATURE OF ALABAMA SO AS TO MAKE CHANGES IN THE PROVISIONS THEREOF RESPECTING THE DETAILS AND SALES OF SECURITIES BY WILCOX COUNTY.

Be It Enacted by the Legislature of Alabama:

(1) Section 2 of Act No. 317 adopted at the 1943 Regular Session of the Legislature of Alabama entitled "TO FURTHER PROVIDE FOR THE FISCAL MANAGEMENT OF WILCOX COUNTY; TO PROVIDE FOR THE REFUNDING AND AMORTIZATION OF THE OUTSTANDING OBLIGATIONS OF WILCOX COUNTY AND THE REFUNDING AND AMORTIZATION OF OBLIGATIONS OF WILCOX COUNTY THAT MAY HEREAFTER BE ISSUED, be and the said section is hereby amended so that the said section shall read in its entirety as follows:

"Section 2. MATURITY OF BONDS AND WARRANTS:—Bonds and warrants shall be used as evidence of all indebtedness which matures more than one year after the date of issue thereof, and the last maturity thereof shall be not more than twenty years after the date of issue. All bonds and warrants, whether evidencing new obligations or whether they be issued for refunding purposes, shall mature serially in either semiannual or annual installments. The first semiannual or annual installment shall

mature not later than three years after the date of issue and the last such installment shall completely liquidate the then unpaid portion of the entire issue. The total amount of principal maturing during any fiscal year of the county shall be not more than three times as much as the smallest total maturing during any prior fiscal year of the same issue."

(2) Section 5 of said Act No. 317 adopted at the 1943 Regular Session of the Legislature of Alabama is hereby amended so that said section shall read as follows:

"Section 5. SALES OR EXCHANGE OF SECURITIES:—All bonds and warrants which may be sold shall be sold at public sale to the bidder whose offer to purchase the same reflects the lowest net interest cost to the county for the bonds or securities so offered. The total lowest net interest cost shall be ascertained by adding the total interest payable on the securities so sold computed from their date to their respective maturities, computed at the applicable rate or rates named in the successful bid, and adding to such total any discount below the face value of such securities which may be stated in the bid if the bid is less than the face value of the securities sold, or subtracting from such total the premium in excess of the face amount of such securities named in the successful bid if the bid is more than the face amount of the securities offered for sale. The public sale shall be by sealed bids opened in public. Invitation for bids for the securities offered for sale shall be published one time in a newspaper published in the county if a newspaper is at the time published in the county, which publication shall be made not less than ten days prior to the date fixed for the sale. Copies of the invitation for bids shall also be forwarded to the Director of the State Department of Finance at Montgomery, Alabama, or any successor to his duties, with the request that that officer cause such invitation for bids to be mailed not less than ten days before the date fixed for the sale to all security dealers to whom he customarily mails notices of sales of securities by counties in Alabama. The invitation for bids shall state the amount of the securities to be sold, the maturities thereof, the amount payable at each maturity, the time and place of submitting the sealed bids, and shall include an invitation for the bidders to name in their bids the rate or rates of interest to be borne by the securities. No bid shall be considered unless it is accompanied by a cashier's check or a certified check drawn on a bank that is a member of the Federal Reserve System and made payable to the order of the county in an amount not less than 2% of the principal amount of the securities offered for sale, and the invitation for bids shall so state. The county shall have the right to reject all bids. The determination by the governing body of the county of the bid that reflects the lowest net interest cost to the county, in accordance with the provisions hereinabove provided, shall be final. The minutes of the governing body of the county shall show the names of those bidding, the rate or rates of interest named in their bids, and the amount of their respective bids. No refunding securities shall be exchanged for securities at the time outstanding unless invitations for bids for such exchanges shall be given in the manner hereinabove provided for the sale of securities, and no such exchange shall be made by the county except to those whose bid for the refunding by exchange is determined by the governing body of the county to be the best bid received. Refunding securities shall not be exchanged with the holder of outstanding securities in such manner as to circumvent the provisions of this act requiring competitive bidding."

(3) Section 7 of said Act No. 317 adopted at the 1943 Regular Session of the Legislature of Alabama is hereby amended so that said section shall read as follows:

"Section 7. CALLABILITY:—All securities issued by the county having maturities more than ten years from the date of their issue shall be

made redeemable at the option of the county at the expiration of the tenth year after the date of issue and on any interest payment date thereafter under such terms and in such manner as may be provided in the proceedings under which the securities are issued; provided, that notice of any such redemption shall be given not less than thirty days before the date fixed for redemption by publication in a newspaper published in one of the three largest cities in the state according to the last published Federal Census report preceding the date of the publication of the notice of redemption. The governing body of the county may, in the proceedings under which the securities are issued, provide for an earlier optional redemption date if it deems such action advantageous to the county. No redemption price for the redemption of any securities shall exceed the face value of each security redeemed plus accrued interest thereon to the date fixed for redemption and a premium equal to one year's interest thereon."

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edwina LeCroy, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Wilcox Progressive Era, a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 17, May 24, May 31, and June 7, all in the year 1962.

EDWINA LeCROY.

Sworn to and subscribed before me June 8, 1962.

ELEANOR H. HAYS,
Title Notary Public Wilcox County, Alabama.

Also:

By Mr. Wyatt:

S. 5. Relating to counties having populations of not less than 96,000 nor more than 106,000, fixing the compensation of the judges of probate of such counties.

Also:

By Mr. Porter:

S. 15. Relating to counties having populations of not less than 15,300 nor more than 15,400 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law; giving the act retroactive effect.

Also:

By Mr. Porter:

S. 16. To regulate the compensation of members of the county board of education in counties having populations of not less than 15,300

nor more than 15,400 inhabitants according to the 1960 federal decennial census; giving the Act retroactive effect.

Also:

By Mr. Porter:

S. 17. To provide for the employment of a deputy clerk in the office of the clerk of the circuit court in counties of not less than 15,300 nor more than 15,400 population according to the last or any subsequent federal decennial census, and giving the Act retroactive effect.

Also:

By Mr. Porter:

S. 18. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than 15,300 nor more than 15,400 according to the 1960 or any subsequent federal decennial census, and giving the act retroactive effect.

Also:

By Mr. Eddins (by request):

S. 21. Relating to cities having populations of not less than 100,000 nor more than 200,000 inhabitants: To provide for the payment of benefits to employees of any such city who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such city who are killed in the performance of their official duties.

Also:

By Mr. Eddins (by request):

S. 22. To repeal Act No. 627 of the 1961 Regular Session of the Legislature of Alabama proposing an amendment to the Constitution of Alabama relative to the levying of additional taxes for school purposes within Montgomery County.

Also:

By Mr. Eddins (by request):

S. 23. Relating to counties having populations of not less than 150,000 nor more than 300,000 inhabitants: To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

Also:

By Mr. Eddins (by request):

S. 24. To amend Act No. 298, H. 823, Regular Session 1955, an act authorizing the governing body of any county having a population of not less than 125,000 nor more than 225,000, and the governing body of any

municipality within such a county, to create a joint public charity hospital board (Acts 1955, Vol. 1, p. 694).

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 25. Local Legislation No. 1.

S. 5. Local Legislation No. 1.

S. 15. Local Legislation No. 1.

S. 16. Local Legislation No. 1.

S. 17. Local Legislation No. 1.

S. 18. Local Legislation No. 1.

S. 21. Local Legislation No. 1.

S. 22. Local Legislation No. 1.

S. 23. Local Legislation No. 1.

S. 24. Local Legislation No. 1.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:15 P.M. On June 19, 1962

H. J. R. 6.

H. J. R. 8.

H. J. R. 9.

H. J. R. 10.

OAKLEY MELTON, JR.,
Clerk.

ADJOURNMENT

Mr. Pruitt moved that the House adjourn until Wednesday, June 20, 1962, at ten o'clock A.M.

Mr. Cates offered a substitute motion that the House adjourn until Wednesday, June 20, 1962, at eleven o'clock A.M.

The motion of Mr. Pruitt to lay on the table the substitute motion of Mr. Cates that the House adjourn until Wednesday, June 20, 1962, at eleven o'clock A.M. was lost.

Yeas 26; Nays 58.

Yeas:

Messrs.	Cates	Goldthwaite	Rogers (Mobile)
Adams	Copeland	Goodwyn	Smith (Russell)
Albea	Cornett	Hanby	Solomon
Bailey	Dodd	Merrill	Sullivan
Bevill	Engel	Pierce	Thomas
Branyon	Faulk	Pruitt	Torbert
Brewer	Gilchrist	Rogers (Macon)	

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Nays:

Messrs.	Ferguson	Jones (Cavington)	Owens
Avery	Ford	Lee	Perry
Barnett	Franklin	Locke	Powell
Bishop	Gilmer	Long (Lauderdale)	Ramey
Brannan	Glass	Long (Perry)	Ray
Broadfoot	Gordon	McClendon (Chambers)	Reynolds (Chambers)
Brooks	Grouby	McCorquodale	Salter
Cabiness	Guthrie	McLendon (Bullock)	Self
Callahan	Hankins	Martin	Sessions
Camp	Hardy	Meade	Shumate
Cook	Harvey	Morrow	Speaks
Daniel	Hearn	Murphy	Steagall
Dickson	Johnson (Hardaway)	Nettles	Taylor
Dunn	Johnson (J. T. Tom)	Oakley	Turnham
Edwards	Johnston (Leonard)	Oden	

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The question was then on the substitute motion of Mr. Cates that the House adjourn until Wednesday, June 20, 1962, at eleven o'clock A.M., and said substitute motion was adopted.

FOURTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, June 20, 1962

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend John P. Thomas, Associate Pastor, Dexter Avenue Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards	Johnson (Hardaway)	Ramey
Adams	Engel	Johnston (Lecnard)	Rast
Albea	Faulk	Johnson (J. T. Tom)	Ray
Avery	Ferguson	Jones (Covington)	Reynolds (Chambers)
Bailey	Ford	Jones (Monroe)	Reynolds (Madison)
Barnett	Franklin	Lee	Roberts
Bassett	Gilchrist	Locke	Rogers (Macon)
Bevill	Gilmer	Long (Lauderdale)	Rogers (Mobile)
Bishop	Glass	Long (Perry)	Salter
Brannan	Goldthwaite	McClendon (Chambers)	Self
Branyon	Goodwyn	McCorquodale	Sessions
Brewer	Gordon	McLendon (Bullock)	Shumate
Britton	Grant	Martin	Smith (Russell)
Broadfoot	Gross	Meade	Smith (St. Clair)
Brooks	Grouby	Merrill	Solomon
Cabiness	Guthrie	Morrow	Sorrell
Callahan	Hain	Murphy	Speaks
Camp	Hanby	Nettles	Steagall
Casey	Hankins	Nichols	Sullivan
Cates	Hardy	Oakley	Taylor
Cook	Harris	Oden	Thomas
Copeland	Harvey	Owens	Torbert
Cornett	Hawkins	Perry	Turner
Daniel	Hearn	Pierce	Turnham
Dickson	Ingram	Powell	Vickers
Dunn	Jenkins	Pruitt	

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Jones (Monroe) leave of absence was granted to Mr. Rozelle because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the third legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the third legislative day was approved.

COMMITTEE APPOINTED

In accordance with the provisions of House Joint Resolution 9, the Speaker appointed as Committee on part of the House Messrs. Callahan, Sullivan and Rast.

MESSAGE FROM THE SENATE

Mr. Speaker:

In accordance with the provisions of House Joint Resolution 9, the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Dumas and Berryman.

J. E. SPEIGHT,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Merrill and Albea:

H. J. R. 13. WHEREAS, Miss Maude Luttrell was a member of the faculty of Jacksonville State College for twenty-three years as a teacher of English; and,

WHEREAS, Miss Luttrell served the college faithfully and well, giving her time, talents, and money in entertaining and helping those students who were homesick or in the need of a friend; and

WHEREAS, Miss Luttrell has for more than a quarter of a century been an emissary of good-will for Jacksonville State College throughout the State; now, therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the new boys dormitory on the campus of Jacksonville State College, now known as Building Project Number 5, shall be named "Maude Luttrell Hall."

Be It Further Resolved, That the name "Maude Luttrell" shall be appropriately inscribed on or affixed to this building in such manner as the governing authorities of the institution may direct.

On motion of Mr. Merrill the rules were suspended and H. J. R. 13 was adopted.

Also:

By Mr. Cabiness:

H. J. R. 14. To submit to a vote of the qualified electors of the State the question of holding a convention for the purpose of revising the Constitution of Alabama, and to provide for the election of the delegates and to provide for the holding of the convention in the event a majority of the electors voting at the election favor it.

Be It Resolved by the Legislature of Alabama, Both Houses Concurring:

1. That on the first Tuesday in February 1963, an election shall be held in the several counties of the State, for the purpose of determining whether or not a convention shall be held to revise and amend the Constitution of this State, and at that election the question of Convention or no Convention shall be submitted to a vote of the qualified electors of this State and if a majority of the voters voting at said election shall approve of the holding of a convention for the purpose stated, said convention shall be held as hereinafter provided.

2. The election shall be held and conducted and notice thereof given in all respects according to the provisions of Article 9 of Chapter 1, Title 17, Code of Alabama 1940. The expense of holding the election shall be paid, the returns canvassed, and the results thereof made known in the same manner and by the same officers as in regular elections of State officers. There shall be printed on the official ballots the question to be voted on followed by the words, "Yes" and "No", opposite one of which the voter may indicate his desire.

3. The Convention shall consist of one hundred and thirty-nine (139) delegates, to be elected as follows: one (1) delegate from each county; eight (8) delegates from each Congressional District. The delegates from each Congressional District shall be elected to numbered places, which places shall be designated by numbers one (1) through eight (8) inclusive. The person who desires to become a candidate will designate the place by number in his declaration of candidacy. The delegates shall be elected at an election to be held in the several counties of the State on the first Tuesday in May 1963, following the election provided for in 1 above. The provisions in 2 above shall apply to the holding of the election provided for in this paragraph.

4. In the event a majority of the electors voting at the election favor holding a constitutional convention, the convention shall be held in the State Capitol and commence at Noon on the second Tuesday of June 1963, following the election of the delegates as provided in 3 hereof. The Chief Justice of the Supreme Court of Alabama shall call the convention to order and preside until a permanent convention chairman is elected; in the absence of the Chief Justice, the senior member of the Supreme Court shall act as temporary chairman. Upon convocation of the convention, the assembled delegates shall be sworn to uphold the Constitution and laws of the United States and to perform faithfully the duties of office. The convention shall be the sole judge of the election and qualifications of its members, and, when duly assembled in pursuance of the will of the people, shall have plenary jurisdiction and power to establish ordinances, to perform such acts and to do such things as to it may seem necessary or proper for revising, altering, or amending the existing Constitution. The convention shall remain in session until a revised Constitution of Alabama is framed and provisions is made for its adoption or ratification.

5. Any person who is a qualified elector of the district or county for which he offers his candidacy may be elected delegate; no person shall be disqualified because he is the incumbent of a public office or an employee of the United States, the State, or any political subdivision of the State. Candidates for election may be independents or nominees of political parties nominated by primary election, mass meeting, caucus, or convention, as the governing authority of the party sponsoring the candidates may provide.

6. Officers of the convention, who may be such persons as the convention may select, shall receive the same compensation as corresponding officers of the Legislature and the delegates shall receive the same per

diem and mileage as members of the Legislature; payment of the same shall be made by warrants issued upon certificate of the presiding officer of the convention.

7. The convention shall be supplied by the State Department of Finance with clerical assistance, stationery, office supplies, books, statutes reports, and such other materials as the convention may deem necessary.

H. J. R. 14 was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Rast, Morrow, Hawkins, Edwards, Locke and Perry:

H. J. R. 15. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Honorable Paul Trammel Sessions, better known to his colleagues as Tram Sessions, who will soon complete twelve years as a representative from Jefferson County, is hereby commended for his faithful, courageous and diligent sponsorship and support of legislation designed to further the welfare and progress not only of Jefferson County, but of the whole State.

On motion of Mr. Rast the rules were suspended and H. J. R. 15 was adopted.

Also:

By Messrs. Rast, Morrow, Sessions, Hawkins, Locke and Perry:

H. J. R. 16. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Honorable Jess Edwards, who will soon complete three terms as a representative from Jefferson County, is hereby commended for the able, courageous and diligent manner in which he has performed his duties as a legislator; and he is particularly commended for his legislative activities in support of schools and the promotion of education in this State.

On motion of Mr. Rast the rules were suspended and H. J. R. 16 was adopted.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 96. Relating to Colbert County; levying additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments and additions thereto; providing for the enforcement and collection of the taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; prescribing the purposes for which such proceeds may be used; and superseding Act No. 485, H. 1049, approved August 30, 1949 (Acts 1949, p. 704), the county sales and use tax law.

H. 97. To amend further Section 2 of Act No. 131, H. 333, Regular Session 1949, an act which created and established the board of revenue for Colbert County (Acts 1949, p. 157).

H. 98. To make it unlawful for a member of the governing body of the Colbert County Hospital to have any financial or beneficial interest in, or receive anything of value or promise thereof for the purchase, or contract to purchase insurance, personal property, or contractual service for such hospital; and to prescribe penalties for the violation of this Act.

H. 99. To provide an allowance for expenses to the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000.

H. 106. To amend the Title and Sections 1 and 2 of Act No. 839, H. 1516, of the 1961 Legislature, approved September 8, 1961, entitled "An Act to authorize and direct the county governing body of Mobile County to pay certain sums as supplementary pension payments to certain employees of the county entitled to retirement pay from sources to which the county has contributed."

H. 107. To further amend Section 4 (a) of act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court" (Act No. 345, S. 291, 1955 Acts Vol. II, p. 783).

H. 108. To amend Section 13 of Act No. 934 of the 1961 Legislature approved September 9, 1961 to provide for further distribution of the costs of carrying out the provisions of said Act.

H. 100. To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

H. 101. To amend Act. No. 49, H. 213, Regular Session 1957, which provides for a Chief Deputy Sheriff and other Deputies Sheriff of Elmore County and regulates their compensation, allowances, and expenses (Acts 1957, vol. I, p. 92).

H. 102. To amend Section 1 of Act No. 158, H. 399, approved August 1, 1961 (Acts of Alabama 1961, p. 206) which act regulates the compensation of coroners in counties of not less than 96,000 nor more than 106,000 population, so as to authorize the payment of an expense allowance to the coroner in any such county.

H. 103. To provide for the distribution and use of revenue received from the property tax levied as authorized by Amendment CCIII of the Constitution of Alabama 1901 in any county having a population of not less than 96,000 nor more than 106,000.

H. 105. To prohibit the governing bodies of all cities and towns of counties having populations of not less than 61,000 nor more than 65,000

from licensing certain businesses, trades, and professions outside the corporate limits of such cities and towns.

H. 109. Relating to taxation in counties having populations of not less than 150,000 nor more than 300,000; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

H. 110. Relating to counties having populations of not less than 140,000 nor more than 250,000; to provide the procedure for initiating complaints under Act No. 295, Special Session, 1961, approved September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940.

H. 111. To amend the title and Section 1 of Act No. 541, H. 512, approved August 28, 1951 (Acts 1951, p. 953) which provides for the allocation of the duties of the chairman and members of the city commission in certain cities classified on a population basis.

H. 112. To authorize and provide for the establishment of a junior college to be located in any county having a population of not less than 65,000 nor more than 95,000 inhabitants; to create a board of trustees to govern such college; to authorize the board of trustees to select the location for such college, name it, appoint a president and certain other officers therefor, and prescribe rules and regulations to govern the college; to constitute the college a body corporate upon compliance with certain conditions; to authorize the board of trustees to accept gifts, donations, devises, and bequests; and to buy, hold, sell or otherwise dispose of real and personal property for and in the name of the college; to authorize the governing body of any such county and of each incorporated municipality in any such county to make appropriations of public funds in aid of the college; to authorize the board of education of any such county and the board of education of any incorporated municipality therein to use public school funds in aid of such college and to provide transportation and certain other facilities to students attending the college; to exempt from taxation the property of the college; and to exempt officers and employees of the college from certain civil duties and from certain municipal privilege licenses.

H. 116. Relating to counties having populations of not less than 13,900 nor more than 14,300; providing an additional deputy sheriff for such counties whose compensation shall be payable from the county highway and traffic fund.

H. 117. To apply only in counties of the state having populations of not less than 19,500 nor more than 20,000 inhabitants according to the last or any subsequent federal decennial census, to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

S. 15. Relating to counties having populations of not less than 15,300 nor more than 15,400 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law; giving the act retroactive effect.

S. 16. To regulate the compensation of members of the county board of education in counties having populations of not less than 15,300 nor

more than 15,400 inhabitants according to the 1960 federal decennial census; giving the Act retroactive effect.

S. 17. To provide for the employment of a deputy clerk in the office of the clerk of the circuit court in counties of not less than 15,300 nor more than 15,400 population according to the last or any subsequent federal decennial census, and giving the Act retroactive effect.

S. 18. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than 15,300 nor more than 15,400 according to the 1960 or any subsequent federal decennial census, and giving the act retroactive effect.

S. 21. Relating to cities having populations of not less than 100,000 nor more than 200,000 inhabitants: To provide for the payment of benefits to employees of any such city who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such city who are killed in the performance of their official duties.

S. 22. To repeal Act No. 627 of the 1961 Regular Session of the Legislature of Alabama proposing an amendment to the Constitution of Alabama relative to the levying of additional taxes for school purposes within Montgomery County.

S. 23. Relating to counties having populations of not less than 150,000 nor more than 300,000 inhabitants: To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

S. 25. To amend Sections 2, 5, and 7 of Act No. 317 adopted at the 1943 Regular Session of the Legislature of Alabama so as to make changes in the provisions thereof respecting the details and sales of securities by Wilcox County.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Roberts and Reynolds (Madison):

H. 118. To apply only in counties in the state having populations of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; to designate voting officials and to prescribe their duties in the conduct of all elections held in such counties.

Local Legislation No. 1.

By Messrs. Roberts and Reynolds (Madison):

H. 119. To fix the time for opening and closing the polls in all counties having a population of not less than 110,000 nor more than 160,000 according to the last or any subsequent federal decennial census.

Local Legislation No. 1.

By Messrs. Roberts and Reynolds (Madison):

H. 120. To provide further for the compensation of election officials in each county having a population of not less than 110,000 nor more than 160,000, according to the 1960 or any subsequent federal decennial census.

Local Legislation No. 1.

By Mr. Shumate:

H. 121. Relating to elections in counties having a population of not less than 53,000 nor more than 56,000 inhabitants; designating the location of election boxes in the county seat of such county; providing the necessary furniture for the election officials serving at such location; and providing a free parking area for the voters of such county seat.

Local Legislation No. 1.

By Messrs. Rogers (Mobile), Engel and Murphy (With Notice and Proof):

H. 122. To extend, alter and rearrange the boundaries of the Town of Mount Vernon, so as to extend the corporate limits thereof.

Local Legislation No. 1.

Notice and Proof H. 122:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To extend, alter and rearrange the boundaries of the Town of Mount Vernon, so as to extend the corporate limits thereof.

Be It Enacted by the Legislature of Alabama:

Section I—That the boundaries of the Town of Mount Vernon are hereby altered and rearranged and are defined as follows, and the corporate limits of the Town of Mount Vernon are hereby extended so as to include the entire area within the following boundaries, to-wit:

Beginning at the Southwest corner of Section 44, Township 2 North, Range 1 East; thence run North to the Northwest corner of the Southwest Quarter of the Southwest Quarter; thence run East to the Northeast corner of the Southwest Quarter of the Southwest Quarter; thence run North to the Northwest corner of the Northeast Quarter of the Northwest Quarter of Section 44; thence run East to the Northeast corner of the Northeast Quarter of the Northwest Quarter of Section 44, Township 2 North, Range 1 East; thence run North to the Northwest corner of the Northwest Quarter of the Southeast Quarter of Section 43, Township 2 North, Range 1 East; thence run East to the Northeast corner of the Northeast Quarter of the Southeast Quarter of Section 43; thence run South to the Southeast corner of Section 43, Township 2 North, Range 1 East; thence run East to the Northeast corner of the Northwest Quarter of the Northwest Quarter of Section 45, Township 2 North, Range 1 East; thence run South to the Southeast corner of the Southwest Quarter of the Southwest Quarter of Section 49, Township 2 North, Range 1 East; thence run West to the Northwest corner of the Northeast Quarter of the Northeast Quarter, Section 6, Town-

ship 1 North, Range 1 East; thence run South to the Southwest corner of the Northeast Quarter of the Northeast Quarter, Section 6 Township 1 North, Range 1 East; thence run East to the Northeast corner of the Southeast Quarter of the Northeast Quarter of Section 6; thence run South to the Southeast corner of the Southeast Quarter of the Northeast Quarter of Section 6; thence run West to the Southwest corner of the Southeast Quarter of the Northwest Quarter of Section 6; thence run South to the Southeast corner of the Northwest Quarter of the Southwest Quarter of Section 6; thence run West to the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 6; thence run North to the Northwest corner of Section 6, Township 1 North Range 1 East; which corner is the Southwest corner of Section 44, Township 2 North, Range 1 East, and the point of beginning.

Section II—That all laws and parts of laws, general, local or special, in conflict with the provisions of this Act be and the same are hereby repealed.

Section III—This Act shall become effective immediately upon its passage and approval by the governor, or upon and approval by the governor, or upon

W. F. Egan being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Press, May 28, June 4, 11, 18, 1962.

W. F. EGAN.

Sworn to and subscribed before me this 19 day of June, 1962.

DAN E. MILLER, JR.,
Notary Public.

By Mr. Self:

H. 123. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 20,500 nor more than 21,850 according to the last or any subsequent federal decennial census.

Local Legislation No. 1.

BILLS ON THIRD READING BILLS POSTPONED

On motion of Mr. Morrow, consideration of the bills, H. 31, H. 32, as amended, and H. 75, was postponed until the seventh legislative day.

And the bill:

H. 42. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing special assistants for sheriffs of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Hardaway)	Powell
Adams	Dunn	Johnston (Leonard)	Pruitt
Albea	Edwards	Jones (Covington)	Ramey
Avery	Engel	Jones (Monroe)	Rast
Bailey	Faulk	Locke	Ray
Barnett	Franklin	Long (Lauderdale)	Rogers (Macon)
Bassett	Gilmer	Long (Perry)	Rogers (Mobile)
Bevill	Glass	McClendon (Chambers)	Salter
Bishop	Goldthwaite	McLendon (Bullock)	Self
Brannan	Gordon	Martin	Sessions
Branyon	Grant	Meade	Solomon
Brewer	Gross	Merrill	Sorrell
Britton	Grouby	Morrow	Speaks
Broadfoot	Guthrie	Murphy	Steagall
Brooks	Hain	Nettles	Sullivan
Cabiness	Hanby	Nichols	Taylor
Camp	Hankins	Oakley	Torbert
Cates	Hardy	Owens	Turner
Copeland	Harris	Perry	Turnham
Cornett	Harvey	Pierce	Vickers
Daniel	Hawkins		

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And the bill:

H. 44. To apply in all counties of the State having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census; providing for the appointment of bailiffs for the Circuit Courts in such counties, prescribing their duties, and regulating their compensation.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Copeland	Guthrie	Meade
Adams	Cornett	Hain	Merrill
Albea	Daniel	Hanby	Morrow
Avery	Dickson	Hankins	Murphy
Bailey	Dunn	Hardy	Nettles
Barnett	Edwards	Harris	Nichols
Bassett	Engel	Harvey	Oakley
Bevill	Faulk	Hawkins	Owens
Bishop	Ford	Johnson (Hardaway)	Perry
Brannan	Franklin	Johnston (Leonard)	Pierce
Branyon	Gilmer	Jones (Covington)	Powell
Brewer	Glass	Jones (Monroe)	Pruitt
Britton	Goldthwaite	Locke	Ramey
Broadfoot	Goodwyn	Long (Lauderdale)	Rast
Brooks	Gordon	Long (Perry)	Ray
Cabiness	Grant	McClendon (Chambers)	Rogers (Macon)
Camp	Gross	McLendon (Bullock)	Rogers (Mobile)
Cates	Grouby	Martin	Salter

Self
Sessions
Solomon

Sorrell
Speaks
Steagall

Sullivan
Taylor
Torbert

Turner
Turnham
Vickers

—84

And the bill:

H. 46. To amend Section 19 of Act No. 678, H. 1364, approved September 8, 1961, General Acts of Alabama 1961, Page 952, entitled "An Act regulating the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students and apprentices; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof in all counties having a population of not less than 300,000 nor more than 500,000 inhabitants according to the last or any subsequent federal decennial census."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker
Adams
Albea
Avery
Bailey
Barnett
Bassett
Bevill
Bishop
Brannan
Branyon
Brewer
Britton
Broadfoot
Brooks
Cabiness
Camp
Cates
Copeland
Cornett
Daniel

Dickson
Dunn
Edwards
Engel
Faulk
Ferguson
Ford
Franklin
Gilmer
Glass
Goldthwaite
Goodwyn
Gordon
Grant
Gross
Grouby
Guthrie
Hain
Hanby
Hankins
Hardy

Harris
Harvey
Hawkins
Johnson (Hardaway)
Johnston (Leonard)
Jones (Covington)
Jones (Monroe)
Locke
Long (Lauderdale)
Long (Perry)
McClendon (Chambers)
McLendon (Bullock)
Martin
Meade
Merrill
Morrow
Nettles
Nichols
Oakley
Owens
Perry

Pierce
Powell
Pruitt
Ramey
Rast
Ray
Rogers (Macon)
Rogers (Mobile)
Salter
Self
Sessions
Solomon
Sorrell
Speaks
Steagall
Sullivan
Taylor
Torbert
Turner
Vickers

—83

And the bill:

H. 67. Relating to cities having a population of not less than 200,000 nor more than 300,000, according to the last or any subsequent federal decennial census; providing for the appointment of an administrative assistant by the members of the city commission, council, or like governing body of any such city.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Edwards	Hawkins	Pierce
Adams	Engel	Johnson (Hardaway)	Powell
Albea	Faulk	Johnson (J. T. Tom)	Pruitt
Avery	Ferguson	Johnston (Leonard)	Ramey
Bailey	Ford	Jones (Covington)	Rast
Barnett	Franklin	Jones (Monroe)	Ray
Bassett	Gilmer	Locke	Rogers (Macon)
Bevill	Glass	Long (Lauderdale)	Rogers (Mobile)
Brannan	Goldthwaite	Long (Perry)	Salter
Branyon	Goodwyn	McClendon (Chambers)	Self
Brewer	Gordon	McLendon (Bullock)	Solomon
Britton	Grant	Martin	Sorrell
Broadfoot	Gross	Meade	Speaks
Brooks	Grouby	Merrill	Steagall
Cabiness	Guthrie	Morrow	Sullivan
Camp	Hain	Murphy	Taylor
Cates	Hanby	Nettles	Torbert
Copeland	Hankins	Nichols	Turner
Cornett	Hardy	Oakley	Turnham
Daniel	Harris	Owens	Vickers
Dickson	Harvey	Perry	

—83

And the bill:

H. 76. To permit any bank or branch bank doing business in Colbert County to establish in the City of Muscle Shoals, Alabama, one branch bank, branch agency, additional office or branch place of business in addition to all other branches, agencies, offices or places of business authorized by law, subject to the approval of the State Superintendent of Banks.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Copeland	Grouby	McClendon (Chambers)
Adams	Cornett	Guthrie	McLendon (Bullock)
Albea	Daniel	Hain	Martin
Avery	Dickson	Hanby	Meade
Bailey	Dunn	Hankins	Merrill
Barnett	Edwards	Hardy	Morrow
Bassett	Engel	Harris	Murphy
Bevill	Faulk	Harvey	Nettles
Bishop	Ferguson	Hawkins	Nichols
Brannan	Ford	Jenkins	Oakley
Branyon	Franklin	Johnson (Hardaway)	Owens
Brewer	Gilmer	Johnson (J. T. Tom)	Pierce
Britton	Glass	Johnston (Leonard)	Powell
Broadfoot	Goldthwaite	Jones (Covington)	Pruitt
Brooks	Goodwyn	Jones (Monroe)	Ramey
Cabiness	Gordon	Locke	Ray
Camp	Grant	Long (Lauderdale)	Rogers (Macon)
Cates	Gross	Long (Perry)	Rogers (Mobile)

Self	Speaks	Taylor	Turnham
Solomon	Steagall	Torbert	Vickers
Sorrell	Sullivan	Turner	

—83

And the bill:

H. 77. To provide clerical assistance for the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Engel	Jenkins	Pierce
Albea	Faulk	Johnson (Hardaway)	Powell
Avery	Ferguson	Johnson (J. T. Tom)	Pruitt
Bailey	Ford	Johnston (Leonard)	Ramey
Barnett	Franklin	Jones (Covington)	Rast
Bassett	Gilmer	Jones (Monroe)	Ray
Bishop	Glass	Locke	Rogers (Macon)
Brannan	Goldthwaite	Long (Lauderdale)	Rogers (Mobile)
Branyon	Goodwyn	Long (Perry)	Salter
Brewer	Gordon	McClendon (Chambers)	Self
Britton	Grant	McCorquodale	Sessions
Broadfoot	Gross	McLendon (Bulllock)	Solomon
Brooks	Grouby	Martin	Sorrell
Cabiness	Guthrie	Meade	Speaks
Camp	Hain	Merrill	Steagall
Cates	Hanby	Morrow	Sullivan
Copeland	Hankins	Murphy	Taylor
Cornett	Hardy	Nettles	Torbert
Daniel	Harris	Nichols	Turner
Dickson	Harvey	Oakley	Turnham
Dunn	Hawkins	Owens	Vickers
Edwards			

—85

And the bill:

H. 78. Relating to counties having populations of not less than 42,000 nor more than 46,000; providing for increases in pay of deputy sheriffs of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Bailey	Bevill	Branyon
Albea	Barnett	Bishop	Brewer
Avery	Bassett	Brannan	Britton

Broadfoot	Goodwyn	Locke	Rast
Brooks	Gordon	Long (Lauderdale)	Ray
Cabiness	Grant	Long (Perry)	Rogers (Macon)
Camp	Gross	McClendon (Chambers)	Rogers (Mobile)
Cates	Grouby	McCorquodale	Salter
Copeland	Guthrie	McLendon (Bullock)	Self
Cornett	Hain	Martin	Sessions
Daniel	Hanby	Merrill	Solomon
Dickson	Hankins	Morrow	Sorrell
Dunn	Hardy	Murphy	Speaks
Edwards	Harris	Nettles	Steagall
Engel	Harvey	Nichols	Sullivan
Ferguson	Hawkins	Oakley	Taylor
Ford	Johnson (Hardaway)	Owens	Torbert
Franklin	Johnson (J. T. Tom)	Pierce	Turner
Gilchrist	Johnston (Leonard)	Powell	Turnham
Gilmer	Jones (Covington)	Pruitt	Vickers
Glass	Jones (Monroe)	Ramey	

—83

And the bill:

H. 79. To authorize and provide for the payment out of the county treasury of the county composing such judicial circuit of a monthly allowance for expenses incurred in the conduct and maintenance of his office and in the proper and efficient performance and discharge of his duties to each circuit judge in every judicial circuit composed of one county having a population of not less than 42,000 nor more than 46,000 inhabitants, according to the last, or any subsequent, federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hardy	Oakley
Albea	Dunn	Harris	Owens
Avery	Edwards	Harvey	Pierce
Bailey	Engel	Johnson (Hardaway)	Powell
Barnett	Faulk	Johnson (J. T. Tom)	Pruitt
Bassett	Ferguson	Johnston (Leonard)	Rast
Bevill	Ford	Jones (Covington)	Ray
Bishop	Franklin	Jones (Monroe)	Rogers (Macon)
Brannan	Gilchrist	Lee	Self
Branyon	Gilmer	Locke	Sessions
Brewer	Glass	Long (Perry)	Solomon
Britton	Goldthwaite	McClendon (Chambers)	Sorrell
Broadfoot	Gordon	McCorquodale	Speaks
Brooks	Grant	McLendon (Bullock)	Steagall
Cabiness	Gross	Merrill	Sullivan
Camp	Grouby	Morrow	Torbert
Cates	Guthrie	Murphy	Turner
Copeland	Hain	Nettles	Turnham
Cornett	Hanby	Nichols	Vickers
Daniel	Hankins		

—78

And the bill:

H. 84. To permit any bank having its principal place of business in

Houston County to establish, maintain, and operate, within the corporate limits or police jurisdiction of any incorporated municipality in which it does business, one or more branches or additional offices or places of business, subject to the approval of the state superintendent of banks.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Dunn	Harvey	Pierce
Adams	Edwards	Johnson (Hardaway)	Powell
Albea	Engel	Johnson (J. T. Tom)	Pruitt
Avery	Faulk	Johnston (Leonard)	Ramey
Bailey	Ferguson	Jones (Covington)	Rast
Barnett	Ford	Jones (Monroe)	Ray
Bassett	Franklin	Lee	Rogers (Macon)
Bevill	Gilchrist	Locke	Rogers (Mobile)
Bishop	Gilmer	Long (Lauderdale)	Salter
Brannan	Glass	Long (Perry)	Self
Branyon	Goldthwaite	McClendon (Chambers)	Sessions
Brewer	Goodwyn	McCorquodale	Solomon
Britton	Gordon	McLendon (Bullock)	Sorrell
Broadfoot	Grant	Martin	Speaks
Brooks	Gross	Merrill	Steagall
Cabiness	Grouby	Morrow	Sullivan
Camp	Guthrie	Murphy	Taylor
Cates	Hain	Nettles	Torbert
Copeland	Hanby	Nichols	Turner
Cornett	Hankins	Oakley	Turnham
Daniel	Hardy	Owens	Vickers
Dickson	Harris		

—86

And the bill:

H. 91. Relating to counties having populations of not less than 42,000 nor more than 46,000 according to the last or any subsequent federal decennial census; to authorize county governing bodies to provide for payment of additional expense and clerk hire allowances to certain county officers.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Brewer	Edwards	Goodwyn
Albea	Britton	Engel	Gordon
Avery	Broadfoot	Faulk	Grant
Bailey	Cabiness	Ferguson	Gross
Barnett	Camp	Ford	Grouby
Bassett	Cates	Franklin	Guthrie
Bevill	Copeland	Gilchrist	Hain
Bishop	Cornett	Gilmer	Hanby
Brannan	Daniel	Glass	Hankins
Branyon	Dunn	Goldthwaite	Hardy

Harris	McClendon (Chambers)	Pierce	Shumate
Harvey	McCorquodale	Powell	Solomon
Hearn	McLendon (Bullock)	Pruitt	Sorrell
Johnson (Hardaway)	Martin	Ramey	Speaks
Johnson (J. T. Tom)	Merrill	Rast	Steagall
Johnston (Leonard)	Morrow	Ray	Sullivan
Jones (Covington)	Murphy	Rogers (Macon)	Taylor
Jones (Monroe)	Nettles	Rogers (Mobile)	Torbert
Lee	Nichols	Salter	Turner
Locke	Oakley	Self	Turnham
Long (Lauderdale)	Owens	Sessions	Vickers
Long (Perry)	Perry		

—86

And the bill:

H. 92. To authorize and provide for the creation of a public corporation in each county of the state which has a population of at least 250,000, but not more than 500,000 according to the last or any subsequent federal decennial census, to provide for, promote and encourage education on a college or university level and cultural and scientific opportunities for the inhabitants of the county; to provide for the selection of the members and board of directors thereof; to authorize and direct such board to become a public corporation; to prescribe the manner of effecting such corporation; to authorize and empower the corporation to enter into agreements with public educational bodies or any governmental agency or body for the purpose of carrying out its functions; to provide for the powers of such corporation, its continuation and dissolution; and to provide for the transfer to any corporation formed hereunder of the rights, powers, duties and assets of certain other public corporations, which are hereby abolished.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Pierce
Albea	Engel	Johnson (J. T. Tom)	Powell
Avery	Faulk	Johnston (Leonard)	Pruitt
Bailey	Ferguson	Jones (Covington)	Rast
Barnett	Ford	Jones (Monroe)	Ray
Bassett	Franklin	Lee	Rogers (Macon)
Bevill	Gilchrist	Locke	Rogers (Mobile)
Bishop	Gilmer	Long (Lauderdale)	Salter
Brannan	Glass	Long (Perry)	Self
Branyon	Goldthwaite	McClendon (Chambers)	Sessions
Brewer	Goodwyn	McCorquodale	Shumate
Britton	Gordon	McLendon (Bullock)	Solomon
Broadfoot	Grant	Martin	Sorrell
Brooks	Gross	Merrill	Speaks
Cabiness	Grouby	Morrow	Steagall
Camp	Hain	Murphy	Sullivan
Cates	Hanby	Nettles	Taylor
Copeland	Hankins	Nichols	Torbert
Cornett	Hardy	Oakley	Turner
Daniel	Harris	Owens	Turnham
Dickson	Harvey	Perry	Vickers
Dunn	Hearn		

—86

And the bill:

H. 93. To extend, alter and rearrange the boundaries of the Town of Mount Vernon, so as to extend the corporate limits thereof.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Powell
Albea	Engel	Johnson (J. T. Tom)	Pruitt
Avery	Faulk	Johnston (Leonard)	Ramey
Bailey	Ferguson	Jones (Covington)	Rast
Barnett	Ford	Jones (Monroe)	Ray
Bassett	Franklin	Lee	Rogers (Macon)
Bevill	Gilchrist	Locke	Rogers (Mobile)
Bishop	Gilmer	Long (Perry)	Salter
Brannan	Glass	McClendon (Chambers)	Self
Branyon	Goldthwaite	McCorquodale	Sessions
Brewer	Goodwyn	McLendon (Bullock)	Shumate
Britton	Gordon	Martin	Solomon
Broadfoot	Grant	Merrill	Sorrell
Brooks	Gross	Morrow	Speaks
Cabiness	Grouby	Murphy	Steagall
Camp	Guthrie	Nettles	Sullivan
Cates	Hain	Nichols	Taylor
Copeland	Hanby	Oakley	Torbert
Cornett	Hankins	Owens	Turner
Daniel	Hardy	Perry	Turnham
Dickson	Harvey	Pierce	Vickers
Dunn	Hearn		

—86

And the bill:

H. 95. To amend Act No. 853, H. 1152, Regular Session 1961 (Acts 1961, Vol. 2, p. 1292) which requires the commissioner and state department of revenue to collect sales taxes for the town of Camp Hill, Tallapoosa County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Brewer	Dickson	Glass
Albea	Britton	Dunn	Goldthwaite
Avery	Broadfoot	Edwards	Goodwyn
Bailey	Brooks	Engel	Gordon
Barnett	Cabiness	Faulk	Grant
Bassett	Camp	Ferguson	Gross
Bevill	Cates	Ford	Grouby
Bishop	Copeland	Franklin	Hain
Brannan	Cornett	Gilchrist	Hanby
Branyon	Daniel	Gilmer	Hankins

Hardy	Long (Perry)	Perry	Shumate
Harris	McClendon (Chambers)	Pierce	Smith (Russell)
Harvey	McCorquodale	Powell	Solomon
Hawkins	McLendon (Butlock)	Pruitt	Sorrell
Hearn	Merrill	Ramey	Speaks
Johnson (Hardaway)	Morrow	Rast	Steagall
Johnson (J. T. Tom)	Murphy	Ray	Sullivan
Johnston (Leonard)	Nettles	Rogers (Macon)	Taylor
Jones (Covington)	Nichols	Rogers (Mobile)	Torbert
Jones (Monroe)	Oakley	Salter	Turner
Lee	Oden	Self	Turnham
Locke	Owens	Sessions	Vickers
Long (Lauderdale)			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and as amended has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 11. Relative to the death of eight Alabamians in the tragic airplane crash in Paris June 3, 1962.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Bailey the House concurred in and adopted the Senate substitute for the resolution, H. J. R. 11, said Senate substitute being as follows:

Substitute for House Joint Resolution No. 11:

WHEREAS, the tragic crash of an airplane in Paris, France on June 3rd, 1962, resulted in the loss of life to many residents of the State of Georgia, and particularly of the City of Atlanta, and

WHEREAS, these residents were outstanding in their leadership and contribution to the cultural and educational fields of their community, and

WHEREAS, their untimely deaths result in an irreparable loss to their city and state, and

WHEREAS, the State of Alabama feels keenly the profound sorrow suffered by her sister State of Georgia, and

WHEREAS, the State of Alabama mourns the loss of eight of its own beloved and esteemed Alabamians, Mrs. Frank McPherson and her two daughters, Mrs. William Inge Hill and Mrs. Frank Virgin, Mrs. William King Self, Mr. and Mrs. Morgan S. Cantey, Mrs. Roy Minier and Mrs. Lloyd Barnett; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA:

That the State of Alabama expresses its deepest and heartfelt sympathy to the State of Georgia, to the City of Atlanta, to the survivors of all those who lost their lives, and especially to the families of Mrs. McPherson, Mrs. Hill, Mrs. Virgin, Mrs. Self, Mr. and Mrs. Cantey, Mrs. Minier and Mrs. Barnett.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to the Legislature of the State of Georgia, to the Mayor of Atlanta, and to the families of Mrs. McPherson, Mrs. Hill, Mrs. Virgin, Mrs. Self, Mr. and Mrs. Cantey, Mrs. Minier and Mrs. Barnett.

BILLS ON THIRD READING RESUMED

H. 59. (with amendment). Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend H. B. 59 by striking paragraph two in its entirety from Section 2 and inserting in lieu thereof the following:

"First District, the county of Lauderdale; Second District, the counties of Colbert and Franklin; Third District, the counties of Limestone and Lawrence; Fourth District, the county of Morgan; Fifth District, the county of Madison; Sixth District, the counties of Jackson and DeKalb; Seventh District, the counties of Marshall and Blount; Eighth District, the county of Etowah; Ninth District, the county of Calhoun; Tenth District, the counties of Cherokee, Cleburne, Clay, and Randolph; Eleventh District, the county of Talladega; Twelfth District, the counties of St. Clair, and Shelby; Thirteenth District, the county of Jefferson; Fourteenth District, the county of Tuscaloosa; Fifteenth District, the counties of Winston and Cullman; Sixteenth District, the county of Walker; Seventeenth District, the counties of Marion, Lamar and Fayette; Eighteenth District, the counties of Pickens, Greene and Sumter; Nineteenth District, the counties of Hale, Perry and Marengo; Twentieth District, the counties of Bibb, Chilton, Coosa and Autauga; Twenty-first District, the counties of Tallapoosa and Chambers; Twenty-second District, the counties of Lee and Russell; Twenty-third District, the counties of Henry and Barbour; Twenty-fourth District, the counties of Elmore and Macon; Twenty-fifth District, the county of Montgomery; Twenty-sixth District, the counties of Bullock, Pike and Crenshaw; Twenty-seventh District, the counties of Wilcox, Butler and Lowndes; Twenty-eighth District, the county of Dallas; Twenty-ninth District, the counties of Choctaw, Clarke and Washington; Thirtieth District, the county of Houston; Thirty-first District, the counties of Coffee and Dale; Thirty-second District, the counties of Covington and Geneva; Thirty-third District, the counties of Conecuh and Monroe; Thirty-fourth District, the counties of Baldwin and Escambia; Thirty-fifth District, the county of Mobile."

And the amendment was adopted.

Yeas 70; Nays 10.

Yeas:

Mr. Speaker	Ferguson	Lee	Reynolds (Madison)
Adams	Ford	Locke	Roberts
Albea	Franklin	Long (Lauderdale)	Rogers (Macon)
Bailey	Gilchrist	Long (Perry)	Rogers (Mobile)
Bassett	Gilmer	McClendon (Chambers)	Self
Bevill	Goldthwaite	McLendon (Bullock)	Sessions
Bishop	Goodwyn	Merrill	Shumate
Brannan	Grant	Morrow	Smith (Russell)
Branyon	Gross	Nettles	Solomon
Brewer	Guthrie	Nichols	Sorrell
Broadfoot	Hain	Oakley	Speaks
Callahan	Hanby	Oden	Steagall
Camp	Hankins	Owens	Sullivan
Casey	Hawkins	Perry	Thomas
Cates	Jenkins	Pierce	Torbert
Copeland	Johnson (Hardaway)	Powell	Turner
Cornett	Johnston (Leonard)	Ray	Turnham
Engel	Jones (Monroe)		

—70

Nays:

Messrs.	Cabiness	Harvey	Ramey
Avery	Dunn	McCorquodale	Taylor
Brooks	Glass	Martin	

—10

Mr. Hankins offered the following amendment to the bill, H. 59, as amended:

"Amend Section 2 of H. B. 59 by adding the following paragraph—

"In districts consisting of more than one county the senator shall not be elected for more than one term consecutively from any one county in the district, but shall reside in and be elected alternately and in turn from each of the counties within such district. The first senator to be elected in such districts shall reside in the county having the largest population, except where that county had the last preceding senator."

The motion of Mr. Bevill to lay on the table the amendment offered by Mr. Hankins was lost.

Yeas 13; Nays 82.

Yeas:

Messrs.	Ferguson	Grant	Murphy
Bevill	Ford	Johnson (J. T. Tom)	Perry
Brooks	Goldthwaite	Locke	Rast
Copeland	Goodwyn		

—13

Nays:

Mr. Speaker	Albea	Bailey	Bassett
Adams	Avery	Barnett	Bishop

Brannan	Gordon	McClendon (Chambers)	Rogers (Mobile)
Branyon	Gross	McCorquodale	Salter
Brewer	Grouby	McLendon (Bullock)	Self
Britton	Guthrie	Martin	Sessions
Broadfoot	Hain	Meade	Shumate
Cabiness	Hanby	Merrill	Smith (Russell)
Camp	Hankins	Nettles	Smith (St. Clair)
Cates	Hardy	Nichols	Solomon
Cornett	Harvey	Oakley	Sorrell
Daniel	Hawkins	Oden	Speaks
Dickson	Jenkins	Pierce	Steagall
Dunn	Johnson (Hardaway)	Powell	Sullivan
Edwards	Johnston (Leonard)	Pruitt	Taylor
Engel	Jones (Covington)	Ramey	Thomas
Faulk	Jones (Monroe)	Ray	Torbert
Franklin	Lee	Reynolds (Madison)	Turner
Gilchrist	Long (Lauderdale)	Roberts	Turnham
Gilmer	Long (Perry)	Rogers (Macon)	Vickers
Glass			

—82

The question was then on the adoption of the amendment offered by Mr. Hankins to the bill, H. 59, as amended, and said amendment was adopted.

Yeas 84; Nays 12.

Yeas:

Mr. Speaker	Edwards	Johnston (Leonard)	Rast
Adams	Engel	Jones (Monroe)	Ray
Albea	Faulk	Lee	Reynolds (Chambers)
Avery	Ford	Locke	Reynolds (Madison)
Bailey	Franklin	Long (Lauderdale)	Roberts
Barnett	Gilchrist	Long (Perry)	Rogers (Mobile)
Bassett	Gilmer	McClendon (Chambers)	Salter
Bishop	Glass	McCorquodale	Self
Brannan	Gordon	McLendon (Bullock)	Sessions
Branyon	Grant	Martin	Shumate
Brewer	Grouby	Meade	Smith (Russell)
Britton	Guthrie	Merrill	Smith (St. Clair)
Broadfoot	Hain	Morrow	Solomon
Brooks	Hanby	Nettles	Sorrell
Camp	Hankins	Nichols	Steagall
Casey	Hardy	Oakley	Sullivan
Cates	Harvey	Oden	Taylor
Cornett	Hawkins	Pierce	Thomas
Daniel	Hearn	Powell	Turner
Dickson	Jenkins	Pruitt	Turnham
Dunn	Johnson (J. T. Tom)	Ramey	Vickers

—84

Nays:

Messrs.	Ferguson	Gross	Perry
Bevill	Goldthwaite	Jones (Covington)	Rogers (Macon)
Cabiness	Goodwyn	Murphy	Speaks
Copeland			

—12

Mr. Casey offered the following substitute for the bill, H. 59, as amended:

A BILL
TO BE ENTITLED
AN ACT

Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Be It Enacted by the Legislature of Alabama:

Section 1. The State Senate shall be composed of 35 senators representing 35 senatorial districts. Each district shall be entitled to one senator and no more.

Section 2. The state is hereby divided into 35 senatorial districts, as follows, and each district shall have and elect one senator and no more:

First, the county of Lauderdale; second, the county of Madison; third, the county of Morgan; fourth, the county of Etowah; fifth, the county of Calhoun; sixth, the county of Walker; seventh, the county of Tuscaloosa; eighth, the county of Jefferson; ninth, the county of Talladega; tenth, the county of Dallas; eleventh, the county of Montgomery; twelfth, the county of Mobile; thirteenth, the counties of Colbert and Franklin; fourteenth, the counties of Lawrence and Limestone; fifteenth, the counties of Jackson and Marshall; sixteenth, the counties of Cherokee and DeKalb; seventeenth, the counties of Fayette, Lamar and Marion; eighteenth, the counties of Cullman and Winston; nineteenth, the counties of Blount and St. Clair; twentieth, the counties of Clay, Cleburne, and Coosa; twenty-first, the counties of Greene, Pickens, and Sumter; twenty-second, the counties of Bibb, Chilton, and Shelby; twenty-third, the counties of Elmore and Tallapoosa; twenty-fourth, the counties of Chambers and Randolph; twenty-fifth, the counties of Hale, Marengo, and Perry; twenty-sixth, the counties of Clarke, Choctaw, and Washington; twenty-seventh, the counties of Conecuh, Monroe, and Wilcox; twenty-eighth, the counties of Autauga, Butler, and Lowndes; twenty-ninth, the counties of Barbour, Bullock, and Macon; thirtieth, the counties of Lee and Russell; thirty-first, the counties of Baldwin and Escambia; thirty-second, the counties of Crenshaw and Covington; thirty-third, the counties of Coffee and Pike; thirty-fourth, the counties of Dale and Geneva; thirty-fifth, the counties of Henry and Houston.

Section 3. The House of Representatives shall consist of 106 members apportioned among the several counties of the State as follows, due consideration having been given to the number of inhabitants in each county as ascertained by the 1960 Federal Census:

The county of Jefferson shall have and elect fourteen representatives; the county of Mobile shall have and elect seven representatives; the county of Montgomery shall have and elect four representatives; the counties of Calhoun, Etowah, Madison and Tuscaloosa shall each have and elect three representatives; the counties of Baldwin, Dallas, Houston, Lauderdale, Lee, Marshall, Morgan, Talladega and Walker shall each have and elect two representatives; and the remaining counties of the state shall each have and elect one representative.

Section 4. The members of the Legislature provided for in this Act shall be elected at the general election to be held in November 1966, and every four years thereafter until the Legislature is reapportioned as prescribed by law.

The motion of Mr. Bevill to lay on the table the substitute offered by Mr. Casey was lost.

Yeas 35; Nays 60.

Yeas:

Messrs.	Goldthwaite	Martin	Rast
Adams	Goodwyn	Merrill	Ray
Bailey	Grouby	Morrow	Reynolds (Chambers)
Bevill	Hain	Murphy	Rogers (Mobile)
Cates	Hardy	Oden	Sessions
Cornett	Hawkins	Perry	Smith (Russell)
Edwards	Jones (Monroe)	Pierce	Solomon
Engel	Lee	Pruitt	Sullivan
Gilmer	Locke	Ramey	Thomas

—35

Nays:

Mr. Speaker	Copeland	Harvey	Oakley
Albea	Daniel	Hearn	Powell
Barnett	Dickson	Ingram	Reynolds (Madison)
Bassett	Dunn	Jenkins	Roberts
Bishop	Faulk	Johnson (Hardaway)	Salter
Brannan	Ferguson	Johnson (J. T. Tom)	Self
Branyon	Ford	Johnston (Leonard)	Shumate
Brewer	Franklin	Jones (Covington)	Smith (St. Clair)
Britton	Gilchrist	Long (Lauderdale)	Sorrell
Broadfoot	Glass	Long (Perry)	Speaks
Brooks	Gordon	McCorquodale	Steagall
Cabiness	Grant	McLendon (Bullock)	Taylor
Camp	Guthrie	Meade	Turner
Casey	Hanby	Nettles	Turnham
Cook	Hankins	Nichols	Vickers

—60

The question was then on the adoption of the substitute offered by Mr. Casey for the bill, H. 59, as amended, and said substitute was adopted.

Yeas 63; Nays 34.

Yeas:

Mr. Speaker	Daniel	Jenkins	Powell
Albea	Dickson	Johnson (Hardaway)	Reynolds (Chambers)
Barnett	Dunn	Johnson (J. T. Tom)	Reynolds (Madison)
Bassett	Faulk	Johnston (Leonard)	Roberts
Bishop	Ferguson	Jones (Covington)	Self
Brannan	Ford	Long (Lauderdale)	Shumate
Branyon	Franklin	Long (Perry)	Smith (St. Clair)
Brewer	Gilchrist	McClendon (Chambers)	Sorrell
Britton	Glass	McCorquodale	Speaks
Broadfoot	Gordon	McLendon (Bullock)	Steagall
Brooks	Gross	Meade	Taylor
Cabiness	Guthrie	Nettles	Torbert
Camp	Hanby	Nichols	Turner
Casey	Hankins	Oakley	Turnham
Cook	Hearn	Oden	Vickers
Copeland	Ingram	Owens	

—63

Nays:

Messrs.	Gilmer	Locke	Rast
Adams	Goldthwaite	Martin	Ray
Avery	Grouby	Merrill	Rogers (<i>Mobile</i>)
Bailey	Hain	Morrow	Sessions
Bevill	Hardy	Murphy	Smith (<i>Russell</i>)
Cates	Harvey	Perry	Solomon
Cornett	Hawkins	Pierce	Sullivan
Edwards	Jones (<i>Monroe</i>)	Pruitt	Thomas
Engel	Lee	Ramey	

—34

Mr. Perry offered the following substitute for the bill, H. 59, as amended:

A BILL
TO BE ENTITLED
AN ACT

An Act to Amend Sections 1 and 2 of Title 32, Code of Alabama, 1940, so as to reapportion the House of Representatives of the State of Alabama and to redistrict the Senate of the State of Alabama, and to provide for special primaries to make nominations therefor, and for other purposes.

Section 1. Section 1 of Title 32, Code of Alabama, 1940, is hereby amended to read as follows:

The House of Representatives of the Legislature consists of one hundred and six members distributed among the several counties as follows: The counties of Autauga, Baldwin, Barbour, Bibb, Blount, Bullock, Butler, Chambers, Cherokee, Chilton, Choctaw, Clarke, Clay, Cleburne, Coffee, Colbert, Conecuh, Coosa, Covington, Crenshaw, Cullman, Dale, DeKalb, Elmore, Escambia, Fayette, Franklin, Geneva, Greene, Hale, Henry, Houston, Jackson, Lamar, Lawrence, Lee, Limestone, Lowndes, Macon, Marion, Marengo, Marshall, Monroe, Perry, Pickens, Pike, Randolph, Russell, St. Clair, Shelby, Sumter, Tallapoosa, Washington, Wilcox, and Winston shall each elect one representative; the counties of Dallas, Lauderdale, Morgan, Talladega, and Walker shall each elect two representatives; the counties of Calhoun, Etowah, Madison, and Tuscaloosa shall each elect three representatives; Montgomery county shall elect four representatives; Mobile county shall elect eight representatives; and Jefferson county shall elect seventeen representatives.

Section 2. Section 2 of Title 32, Code of Alabama, 1940, is hereby amended to read as follows:

The Senate of the Legislature shall consist of thirty-five members, and the state is divided into thirty-five senatorial districts, as follows: First, Lauderdale and Limestone; Second, Lawrence and Morgan; Third, Madison; Fourth, Jackson, DeKalb and Cherokee; Fifth, Colbert, Franklin, and Marion; Sixth, Winston, Walker, and Fayette; Seventh, Marshall and Cullman; Eighth, Etowah; Ninth, Lamar, Pickens, Sumter, Greene and Hale; Tenth, Tuscaloosa; Eleventh, Jefferson, said district to be coextensive with the entire county; Twelfth, Jefferson, said district to be coextensive with the entire county; Thirteenth, Jefferson, said district to be coextensive with the entire county; Fourteenth, Jefferson, said district to be coextensive with the entire county; Fifteenth, Jefferson, said district to be coextensive with the entire county; Sixteenth, Jefferson, said district to be coextensive

with the entire county; Seventeenth, Jefferson, said district to be coextensive with the entire county; Eighteenth, Blount, St. Clair, Shelby, and Coosa; Nineteenth, Calhoun; Twentieth, Talladega, Clay and Cleburne; Twenty-first, Chilton, Bibb, Autauga, and Elmore; Twenty-second, Randolph, Chambers and Tallapoosa; Twenty-Third, Perry, Dallas and Lowndes; Twenty-Fourth, Lee and Russell; Twenty-Fifth, Montgomery, said district to be coextensive with the entire county; Twenty-Sixth, Montgomery, said district to be coextensive with the entire county; Twenty-Seventh, Marengo, Choctaw, Clarke, and Wilcox; Twenty-Eighth, Crenshaw, Butler, Conecuh, and Escambia; Twenty-Ninth, Bullock, Macon, Pike and Barbour; Thirtieth, Baldwin, Washington, and Monroe; Thirty-First, Mobile, said district to be coextensive with the entire county; Thirty-Second, Mobile, said district to be coextensive with the entire county; Thirty-Third, Mobile, said district to be coextensive with the entire county; Thirty-Fourth, Covington, Coffee, and Geneva; and Thirty-Fifth, Houston, Dale, and Henry.

Section 3. No nomination heretofore made by any political party for Representative or for Senator for any county or senatorial district, the representation of which is not changed hereby, shall be invalidated hereby; where the representation in the House of Representatives is increased hereby for any county, the Chairman of the political party which has made nominations heretofore is hereby authorized to assign the persons previously nominated to numbered places by amendment to certifications heretofore made, such assignments to be made on or before August 15, 1962. Additional vacancies hereby created shall be filled by the operation of existing laws, or by special primary elections which are hereby authorized for any political party giving notice as otherwise required by law on or before August 20, 1962, of its intention to hold such primary election, such primary elections to be held on the third Tuesday in September, 1962, with a special run-off primary election to be held as necessary three weeks thereafter; nominations for the Senate heretofore made for any geographical area shall not be invalidated hereby where no more than one person nominated resides within a district created hereby, and where more than one Senatorial district is created hereby for a single county, the person heretofore nominated shall be deemed nominated to the lowest numbered district for such area; where more persons heretofore nominated for an office in either house of the Legislature reside in a county or district than there are offices available, selection between such persons may be made as in the case of a vacancy under existing law, or by special primary elections as heretofore provided for in this section.

Section 4. If any clauses, sentence, paragraph or part of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof; but shall be confined in its operation, to the clause, sentence, paragraph or part thereof, directly involved in the controversy in which such judgment shall have been rendered.

Section 5. The apportionment and the redistricting herein provided for shall take effect on January 1, 1963. The officers created shall be elected in the general election in November, 1962. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

On motion of Mr. Bevill the substitute offered by Mr. Perry for the bill, H. 59, as amended, was laid upon the table.

Yeas 73; Nays 25.

Yeas:

Mr. Speaker	Faulk	Jenkins	Ray
Adams	Ferguson	Johnson (Hardaway)	Reynolds (Chambers)
Albea	Franklin	Johnson (J. T. Tom)	Reynolds (Madison)
Barnett	Gilchrist	Johnston (Leonard)	Roberts
Bassett	Gilmer	Jones (Covington)	Salter
Bevill	Glass	Jones (Monroe)	Self
Bishop	Gordon	Lee	Smith (Russell)
Brannan	Grant	Long (Lauderdale)	Smith (St. Clair)
Branyon	Gross	Long (Perry)	Solomon
Brewer	Grouby	McClendon (Chambers)	Sorrell
Broadfoot	Guthrie	McClendon (Bullock)	Speaks
Cabiness	Hain	Meade	Steagall
Camp	Hanby	Merrill	Sullivan
Casey	Hankins	Nichols	Taylor
Cates	Hardy	Oden	Thomas
Cook	Harris	Owens	Turner
Copeland	Harvey	Powell	Turnham
Cornett	Ingram	Pruitt	Vickers
Daniel			

—73

Nays:

Messrs.	Dunn	Locke	Perry
Avery	Edwards	McCorquodale	Pierce
Bailey	Engel	Morrow	Rast
Britton	Ford	Murphy	Rogers (Macon)
Brooks	Goldthwaite	Nettles	Rogers (Mobile)
Callahan	Goodwyn	Oakley	Sessions
Dickson	Hawkins		

—25

Mr. Albea offered the following amendment to the bill, H. 59, as amended:

Amend H. B. 59 by striking Section 4 in its entirety and inserting in lieu thereof the following:

Section 4. The members of the Legislature provided for in this Act shall be elected at the general election to be held in November, 1962, and every four years thereafter, until the Legislature is again reapportioned as prescribed by law. All political parties that have held a primary election since the last general election shall hold a special primary election to fill all vacancies in the Legislature created by this Act. Any additional representative or representatives in the House of Representatives gained by any county shall be deemed a vacancy or vacancies in respect to such additions in such counties. The remaining position or positions shall be deemed a vacancy or vacancies in any county which loses representation in the House of Representatives. The office of senator shall be deemed vacant in any senatorial district which is changed by the addition to, removal from, or substitution of any county within such district. Such special primary election shall be held on the second Tuesday in September, 1962. If no candidate receives a majority of all votes cast in the first special primary election, then there shall be a run-off primary election on the second Tuesday next following the first special primary. Except as otherwise provided in this Act, these special and run-off primaries held for the purpose of nominating candidates for vacancies in the Legislature created by this Act shall be conducted in the same way and according to the same laws as prescribed for conducting other special primaries for vacancies in the office of senator or representative in the Legislature. This Act shall in no

wise change or affect any nomination by such political party in any county which does not lose or gain representation in the House of Representatives nor in any senatorial district which is not changed by this Act; nor shall it change or affect the nomination of any representative already nominated in counties which gain representation.

On motion of Mr. Murphy the amendment offered by Mr. Albea to the bill, H. 59, as amended, was laid upon the table.

Yeas 66; Nays 36.

Yeas:

Mr. Speaker	Faulk	Johnson (Hardaway)	Powell
Adams	Ford	Johnson (J. T. Tom)	Pruitt
Avery	Gilchrist	Johnston (Leonard)	Ramey
Bailey	Gilmer	Jones (Monroe)	Ray
Barnett	Glass	Lee	Reynolds (Chambers)
Bassett	Goldthwaite	Long (Perry)	Rogers (Macon)
Bevill	Goodwyn	McClendon (Chambers)	Rogers (Mobile)
Brannan	Gordon	McCorquodale	Shumate
Branyon	Grant	McLendon (Bullock)	Smith (Russell)
Brewer	Grouby	Martin	Solomon
Britton	Guthrie	Merrill	Sorrell
Casey	Hain	Murphy	Sullivan
Cates	Hanby	Nettles	Taylor
Cornett	Hankins	Oakley	Torbert
Daniel	Hardy	Oden	Turnham
Dunn	Harvey	Pierce	Vickers
Engel	Jenkins		

—66

Nays:

Messrs.	Dickson	Jones (Covington)	Reynolds (Madison)
Albea	Edwards	Locke	Roberts
Bishop	Ferguson	Long (Lauderdale)	Salter
Broadfoot	Franklin	Meade	Self
Brooks	Gross	Morrow	Sessions
Cabiness	Harris	Nichols	Smith (St. Clair)
Callahan	Hawkins	Owens	Speaks
Camp	Hearn	Perry	Steagall
Cook	Ingram	Rast	Turner
Copeland			

—36

Mr. Hankins offered the following amendment to the bill, H. 59, as amended:

Amend Section 2 of H. B. 59 as substituted by adding the following paragraph:

"In districts consisting of more than one county the senator shall not be elected for more than one term consecutively from any one county in the district, but shall reside in and be elected alternately and in turn from each of the counties within such district. The first senator to be elected in such districts shall reside in the county having the largest population, except where that county had the last preceding senator."

The motion of Mr. Bevill to lay on the table the amendment offered by Mr. Hankins was lost.

Yeas 9; Nays 88.

Yeas:

Messrs.	Engel	Goodwyn	Jones (Covington)
Bevill	Ferguson	Grant	Perry
Copeland	Goldthwaite		

—9

Nays:

Mr. Speaker	Dunn	Johnson (J. T. Tom)	Ramey
Adams	Edwards	Johnston (Leonard)	Rast
Albea	Faulk	Jones (Monroe)	Ray
Avery	Ford	Lee	Reynolds (Chambers)
Bailey	Franklin	Locke	Reynolds (Madison)
Barnett	Gilchrist	Long (Lauderdale)	Roberts
Bassett	Gilmer	Long (Perry)	Rogers (Macon)
Bishop	Glass	McClendon (Chambers)	Rogers (Mobile)
Brannan	Gordon	McCorquodale	Salter
Branyon	Gross	McLendon (Bullock)	Self
Brewer	Grouby	Martin	Sessions
Britton	Guthrie	Meade	Shumate
Broadfoot	Hain	Merrill	Smith (St. Clair)
Brooks	Hanby	Morrow	Solomon
Cabiness	Hankins	Nettles	Sorrell
Camp	Hardy	Nichols	Speaks
Casey	Harvey	Oakley	Steagall
Cates	Hawkins	Oden	Sullivan
Cook	Hearn	Owens	Taylor
Cornett	Ingram	Pierce	Turner
Daniel	Jenkins	Powell	Turnham
Dickson	Johnson (Hardaway)	Pruitt	Vickers

—88

The question was then on the adoption of the amendment offered by Mr. Hankins to the bill, H. 59, as amended, and said amendment was adopted.

Yeas 90; Nays 10.

Yeas:

Mr. Speaker	Camp	Grant	Jones (Monroe)
Adams	Casey	Gross	Lee
Albea	Cates	Grouby	Locke
Avery	Cook	Guthrie	Long (Lauderdale)
Bailey	Cornett	Hain	Long (Perry)
Barnett	Daniel	Hanby	McClendon (Chambers)
Bassett	Dickson	Hankins	McCorquodale
Bishop	Dunn	Hardy	McLendon (Bullock)
Brannan	Edwards	Harvey	Martin
Branyon	Faulk	Hawkins	Meade
Brewer	Ford	Hearn	Merrill
Britton	Franklin	Ingram	Morrow
Broadfoot	Gilchrist	Jenkins	Nettles
Brooks	Gilmer	Johnson (Hardaway)	Nichols
Cabiness	Glass	Johnson (J. T. Tom)	Oakley
Callahan	Gordon	Johnston (Leonard)	Oden

Owens	Reynolds (Chambers)	Shumate	Steagall
Pierce	Reynolds (Madison)	Smith (Russell)	Sullivan
Powell	Roberts	Smith (St. Clair)	Taylor
Pruitt	Rogers (Macon)	Solomon	Turner
Ramey	Rogers (Mobile)	Sorrell	Turnham
Rast	Salter	Speaks	Vickers
Ray	Self		

—90

Nays:

Messrs.	Engel	Goodwyn	Perry
Bevill	Ferguson	Jones (Covington)	Sessions
Copeland	Goldthwaite	Murphy	

—10

Messrs. Taylor, Glass and Jones (Covington) offered the following amendment to the bill, H. 59, as amended:

AMENDMENT TO 59 AS AMENDED

In the second paragraph of Section 2 of the bill, strike out "the counties of Autauga, Butler, and Lowndes;" and insert "the counties of Autauga, Lowndes and Crenshaw;"

Also, strike out "the counties of Crenshaw and Covington;" and insert "the counties of Butler and Covington;"

The motion of Mr. Bevill to lay on the table the amendment offered by Messrs. Taylor, Glass and Jones (Covington) was lost.

Yeas 5; Nays 92.

Yeas:

Messrs.	Dunn	McClendon (Chambers)	Vickers
Bevill	Hain		

—5

Nays:

Mr. Speaker	Copeland	Grouby	Long (Perry)
Adams	Cornett	Guthrie	McCorquodale
Albea	Daniel	Hanby	McLendon (Bullock)
Avery	Dickson	Hankins	Martin
Bailey	Edwards	Harris	Meade
Barnett	Engel	Harvey	Morrow
Bishop	Faulk	Hawkins	Nettles
Brannan	Ferguson	Hearn	Nichols
Branyon	Ford	Ingram	Oakley
Brewer	Franklin	Jenkins	Oden
Britton	Gilchrist	Johnson (Hardaway)	Perry
Broadfoot	Gilmer	Johnson (J. T. Tom)	Pierce
Brooks	Glass	Johnston (Leonard)	Powell
Cabiness	Goldthwaite	Jones (Covington)	Pruitt
Camp	Goodwyn	Jones (Monroe)	Ramey
Casey	Gordon	Lee	Rast
Cates	Grant	Locke	Ray
Cook	Gross	Long (Lauderdale)	Reynolds (Chambers)

Reynolds (Madison)	Self	Solomon	Taylor
Roberts	Sessions	Sorrell	Thomas
Rogers (Macon)	Shumate	Speaks	Torbert
Rogers (Mobile)	Smith (Russell)	Steagall	Turner
Salter	Smith (St. Clair)	Sullivan	Turnham

—92

The question was then on the adoption of the amendment offered by Messrs. Taylor, Glass and Jones (Covington) to the bill, H. 59, as amended, and said amendment was adopted.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Edwards	Jenkins	Ramey
Adams	Engel	Johnson (Hardaway)	Rast
Albea	Faulk	Johnson (J. T. Tom)	Ray
Avery	Ferguson	Johnston (Leonard)	Reynolds (Chambers)
Bailey	Ford	Jones (Covington)	Reynolds (Madison)
Barnett	Franklin	Jones (Monroe)	Roberts
Bassett	Gilchrist	Lee	Rogers (Macon)
Bishop	Gilmer	Locke	Rogers (Mobile)
Brannan	Glass	Long (Lauderdale)	Salter
Branyon	Goldthwaite	Long (Perry)	Self
Brewer	Goodwyn	McClendon (Chambers)	Sessions
Britton	Gordon	McCorquodale	Shumate
Broadfoot	Grant	McLendon (Bullock)	Smith (Russell)
Brooks	Gross	Meade	Smith (St. Clair)
Cabiness	Grouby	Morrow	Solomon
Callahan	Guthrie	Murphy	Sorrell
Camp	Hain	Nettles	Speaks
Casey	Hanby	Nichols	Steagall
Cates	Hankins	Oakley	Sullivan
Cook	Hardy	Oden	Taylor
Copeland	Harris	Owens	Thomas
Cornett	Harvey	Perry	Torbert
Daniel	Hawkins	Pierce	Turner
Dickson	Hearn	Powell	Turnham
Dunn	Ingram	Pruitt	Vickers

—100

RECESS

On motion of Mr. Cates the House recessed until 2:30 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:30 o'clock P.M. having arrived, the House reconvened. The Speaker called the House to order.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H.J.R. 11. Relative to expressing sympathy to the families of those who lost their lives in the plane crash in Paris, France on June 3, 1962.

Also:

H.J.R. 12. Relative to welcoming cinerama to the State of Alabama.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 15. Commending Honorable Paul Trammell Sessions for his work in the Legislature.

Also:

H. J. R. 16. Commending Honorable Jess Edwards for his legislative activities.

Also:

H. J. R. 13. Naming the new boys dormitory on the campus of Jacksonville State College the "Maude Luttrell Hall."

J. E. SPEIGHT,
Secretary.

CONSIDERATION OF H. 59, AS AMENDED, RESUMED

H. 59. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

As amended, was again taken up.

Mr. Jones (Covington) offered the following amendment to the bill, H. 59, as amended:

Amend H. B. 59 by striking out Section 3 in its entirety and inserting the following:

"Section 3. The 106 members of the House of Representatives shall be apportioned among the several counties of the state as follows:

The county of Jefferson shall have and elect 10 representatives, the county of Mobile 5, and the county of Montgomery 4.

The counties of Madison and Tuscaloosa shall each have and elect 3 representatives.

The counties of Baldwin, Calhoun, Chambers, Colbert, Covington, Cullman, Dallas, DeKalb, Etowah, Houston, Jackson, Lauderdale, Lee, Limestone, Marshall, Morgan, Russell, Talladega, and Walker shall each have and elect 2 representatives.

The counties of Autauga, Barbour, Bibb, Blount, Bullock, Butler, Cherokee, Chilton, Choctaw, Clarke, Clay, Cleburne, Coffee, Conecuh, Coosa, Crenshaw, Dale, Elmore, Escambia, Fayette, Franklin, Geneva, Greene, Hale, Henry, Lamar, Lawrence, Lowndes, Macon, Marengo, Marion, Monroe, Perry, Pickens, Pike, Randolph, St. Clair, Shelby, Sumter, Tallapoosa, Washington, Wilcox, and Winston shall each have and elect 1 representative."

The motion of Mr. Gilchrist to lay on the table the amendment offered by Mr. Jones (Covington) was lost.

Yeas 37; Nays 51.

Yeas:

Mr. Speaker	Engel	Jones (Monroe)	Pierce
Albea	Franklin	Lee	Powell
Bailey	Gilchrist	Locke	Rast
Bevill	Goodwyn	McLendon (Bullock)	Rogers (Mobile)
Bishop	Grouby	Merrill	Sessions
Camp	Hanby	Morrow	Solomon
Casey	Hankins	Murphy	Thomas
Cates	Hawkins	Oden	Torbert
Copeland	Ingram	Perry	Vickers
Edwards			

—37

Nays:

Messrs.	Dunn	Hearn	Ray
Avery	Ferguson	Jenkins	Rogers (Macon)
Barnett	Ford	Johnson (Hardaway)	Salter
Bassett	Gilmer	Jones (Covington)	Self
Branyon	Glass	Long (Lauderdale)	Shumate
Brewer	Goldthwaite	Long (Perry)	Smith (Russell)
Britton	Gordon	McClendon (Chambers)	Sorrell
Broadfoot	Grant	McCorquodale	Speaks
Brooks	Gross	Martin	Steagall
Cabiness	Hain	Nettles	Sullivan
Callahan	Hardy	Oakley	Taylor
Cook	Harris	Pruitt	Turner
Daniel	Harvey	Ramey	Turnham

—51

The question was then on the adoption of the amendment offered by Mr. Jones (Covington) to the bill, H. 59, as amended, and said amendment was adopted.

Yeas 57; Nays 34.

Yeas:

Mr. Speaker	Cornett	Ingram	Ray
Barnett	Daniel	Jenkins	Salter
Bassett	Dunn	Johnson (Hardaway)	Self
Bishop	Faulk	Jones (Covington)	Shumate
Brannan	Ferguson	Jones (Monroe)	Smith (Russell)
Branyon	Ford	Lee	Smith (St. Clair)
Brewer	Franklin	Long (Lauderdale)	Solomon
Britton	Glass	Long (Ferry)	Sorrell
Broadfoot	Gordon	McClendon (Chambers)	Speaks
Brooks	Gross	McCorquodale	Steagall
Cabiness	Hankins	Meade	Sullivan
Callahan	Harris	Nettles	Taylor
Casey	Harvey	Oakley	Turner
Cates	Hearn	Oden	Turnham
Cook			

—57

Nays:

Messrs.	Gilchrist	McLendon (Bullock)	Pruitt
Albea	Goldthwaite	Martin	Rast
Avery	Goodwyn	Merrill	Reynolds (Chambers)
Bailey	Grant	Morrow	Rogers (Macon)
Bevill	Grouby	Murphy	Rogers (Mobile)
Camp	Hanby	Nichols	Sessions
Copeland	Hawkins	Perry	Torbert
Edwards	Johnson (J. T. Tom)	Pierce	Vickers
Engel	Locke	Powell	

—34

Mr. Sessions offered the following amendment to the bill, H. 59, as amended:

AMENDMENT TO H. 59, AS AMENDED

Strike out the second paragraph of Section 3 of the bill and insert in lieu thereof the following:

The county of Jefferson shall have and elect 17 representatives; the county of Mobile shall have and elect 7 representatives; the county of Montgomery shall have and elect 4 representatives; the counties of Calhoun, Etowah, Madison and Tuscaloosa shall each have and elect 3 representatives; the counties of Dallas, Houston, Lauderdale, Morgan, Talladega, and Walker shall each have and elect 2 representatives; and the remaining counties of the state shall each have and elect one representative.

And the amendment was lost.

Yeas 29; Nays 64.

Yeas:

Messrs.	Daniel	Hain	Nettles
Albea	Dickson	Hanby	Nichols
Avery	Edwards	Hawkins	Oakley
Bassett	Engel	Locke	Perry
Britton	Ford	Merrill	Rast
Brooks	Franklin	Morrow	Rogers (Mobile)
Camp	Goldthwaite	Murphy	Sessions
Copeland	Goodwyn		

—29

Nays:

Mr. Speaker	Ferguson	Jones (Covington)	Rogers (Macon)
Adams	Gilchrist	Jones (Monroe)	Salter
Bailey	Gilmer	Lee	Self
Barnett	Glass	Long (Perry)	Shumate
Bevill	Gordon	McClendon (Chambers)	Smith (Russell)
Bishop	Grant	McCorquodale	Smith (St. Clair)
Brannan	Gross	McLendon (Bullock)	Solomon
Branyon	Grouby	Martin	Sorrell
Brewer	Hankins	Meade	Speaks
Broadfoot	Harris	Oden	Steagall
Cabiness	Harvey	Pierce	Sullivan
Casey	Hearn	Powell	Taylor
Cates	Ingram	Pruitt	Thomas
Cook	Jenkins	Ramey	Torbert
Cornett	Johnson (Hardaway)	Ray	Turner
Dunn	Johnson (J. T. Tom)	Reynolds (Chambers)	Turnham

—64

Mr. Rogers (Mobile) offered the following amendment to the bill, H. 59, as amended:

Amend Section 4 of H. B. 59 by striking the figures "1966" and inserting in lieu thereof the figures "1962".

On motion of Mr. Casey the amendment offered by Mr. Rogers (Mobile) to the bill, H. 59, as amended, was laid upon the table.

Yeas 62; Nays 32.

Yeas:

Mr. Speaker	Faulk	Jones (Covington)	Powell
Adams	Ford	Jones (Monroe)	Pruitt
Avery	Franklin	Lee	Ramey
Barnett	Gilchrist	Long (Perry)	Ray
Bassett	Glass	McClendon (Chambers)	Reynolds (Chambers)
Bevill	Gordon	McCorquodale	Salter
Brannan	Grant	McLendon (Bullock)	Smith (Russell)
Brewer	Grouby	Martin	Solomon
Britton	Hain	Meade	Sorrell
Camp	Hardy	Merrill	Sullivan
Casey	Harvey	Nettles	Taylor
Cates	Ingram	Nichols	Thomas
Cornett	Jenkins	Oakley	Torbert
Daniel	Johnson (Hardaway)	Oden	Turnham
Dickson	Johnson (J. T. Tom)	Pierce	Vickers
Dunn	Johnston (Leonard)		

—62

Nays:

Messrs.	Copeland	Hankins	Rast
Albea	Edwards	Harris	Rogers (Mobile)
Bailey	Engel	Hawkins	Self
Bishop	Ferguson	Hearn	Sessions
Branyon	Goldthwaite	Locke	Shumate
Broadfoot	Goodwyn	Morrow	Smith (St. Clair)
Brooks	Gross	Murphy	Speaks
Cabiness	Hanby	Perry	Steagall
Callahan			

—32

Mr. Gilchrist offered the following amendment to the bill, H. 59, as amended:

Amend H. B. 59 by striking Section 3 and inserting in lieu thereof the following:

"Section 3. The House of representatives of the Legislature shall consist of 106 members, distributed among the several counties as follows: Each county shall have and elect one representative; also, DeKalb, Cullman, Russell, Colbert, Marshall, Baldwin, Lee, Houston, Walker, Dallas, Morgan, Lauderdale, and Talladega counties shall each have and elect an additional representative; Calhoun, Etowah, Madison, and Tuscaloosa counties shall each have and elect two additional representatives; Montgomery County shall have and elect three additional representatives; Mobile County shall have and elect four additional representatives; and Jefferson County shall have and elect eleven additional representatives."

On motion of Mr. Jones (Covington) the amendment offered by Mr. Gilchrist to the bill, H. 59, as amended, was laid upon the table.

Yeas 48; Nays 37.

Yeas:

Messrs.	Engel	Johnson (J. T. Tom)	Rast
Avery	Ford	Johnston (Leonard)	Ray
Barnett	Glass	Jones (Covington)	Reynolds (Chambers)
Bassett	Goldthwaite	Long (Lauderdale)	Rogers (Mobile)
Brewer	Goodwyn	Long (Ferry)	Saiter
Britton	Gordon	McClendon (Chambers)	Self
Cabiness	Grant	McCorquodale	Shumate
Casey	Gross	Martin	Smith (Russell)
Cates	Guthrie	Murphy	Sorrell
Cornett	Harvey	Nettles	Speaks
Daniel	Ingram	Oakley	Taylor
Dickson	Jenkins	Ramey	Turner
Dunn			

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Nays:

Messrs.	Copeland	Lee	Pruitt
Adams	Faulk	Locke	Rogers (Macon)
Albea	Ferguson	McLendon (Bullock)	Sessions
Bailey	Gilchrist	Merrill	Smith (St. Clair)
Bevill	Gilmer	Morrow	Solomon
Bishop	Grouby	Nichols	Sullivan
Brannan	Hanby	Perry	Thomas
Broadfoot	Hankins	Pierce	Torbert
Brooks	Hawkins	Powell	Turnham
Camp	Jones (Monroe)		

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CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:50 P.M. On June 20, 1962

H.J.R. 11

H.J.R. 12

OAKLEY MELTON, JR.,
Clerk.

ADJOURNMENT

Mr. Torbert moved that the House adjourn until Thursday, June 21, 1962, at eleven o'clock A.M.

Mr. Reynolds (Chambers) offered a substitute motion that the House adjourn until Thursday, June 21, 1962, at twelve o'clock, noon, and said substitute motion was adopted.

FIFTH DAY

House of Representatives
Montgomery, Alabama
Thursday, June 21, 1962

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Gene Arnold, Minister, Cloverdale Church of Christ, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Copeland	Guthrie	McLendon (Bullock)
Adams	Cornett	Hain	Martin
Albea	Daniel	Hanby	Meade
Avery	Dickson	Hankins	Merrill
Bailey	Dodd	Hardy	Morrow
Barnett	Dunn	Harris	Murphy
Bassett	Edwards	Harvey	Nettles
Bevill	Engel	Hawkins	Nichols
Bishop	Faulk	Hearn	Oakley
Brannan	Ferguson	Ingram	Oden
Branyon	Ford	Jenkins	Owens
Brewer	Franklin	Johnson (J. T. Tom)	Perry
Britton	Gilchrist	Johnston (Leonard)	Pierce
Broadfoot	Gilmer	Jones (Covington)	Powell
Brooks	Glass	Jones (Monroe)	Pruitt
Cabiness	Goldthwaite	Lee	Ramey
Callahan	Goodwyn	Locke	Rast
Camp	Gordon	Long (Lauderdale)	Ray
Casey	Grant	Long (Perry)	Reynolds (Chambers)
Cates	Gross	McClendon (Chambers)	Reynolds (Madison)
Cook	Grouby	McCorquodale	Roberts

Rogers (Macon)
 Rogers (Mobile)
 Salter
 Self
 Sessions

Shumate
 Smith (Russell)
 Smith (St. Clair)
 Solomon
 Sorrell

Speaks
 Steagall
 Sullivan
 Taylor
 Thomas

Torbert
 Turner
 Turnham
 Vickers

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Jones (Monroe) leave of absence was granted to Mr. Rozelle because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
 Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the fourth legislative day was dispensed with and the report of the standing Committee on Rules was concurred in and adopted, and the Journal for the fourth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 13. Relative to naming the new boys dormitory at Jacksonville State College the "Maude Luttrell Hall".

Also:

H. J. R. 15. Relative to commending the Honorable Paul Trammel Sessions, Representative from Jefferson County.

Also:

H. J. R. 16. Relative to commending the Honorable Jess Edwards, Representative from Jefferson County.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
 Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length

having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Caffey:

S. 31. To authorize and provide for the creation of a public corporation in each county of the state which has a population of at least 250,000, but not more than 500,000 according to the last or any subsequent federal decennial census, to provide for, promote and encourage education on a college or university level and cultural and scientific opportunities for the inhabitants of the county; to provide for the selection of the members and board of directors thereof; to authorize and direct such board to become a public corporation; to prescribe the manner of effecting such corporation; to authorize and empower the corporation to enter into agreements with public educational bodies or any governmental agency or body for the purpose of carrying out its functions; to provide for the powers of such corporation, its continuation and dissolution; and to provide for the transfer to any corporation formed hereunder of the rights, powers, duties and assets of certain other public corporations, which are hereby abolished.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 31. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House.

By Mr. Gaither:

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, S. 29, the title to which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Judiciary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Meade:

H. J. R. 17. WHEREAS, the Honorable Lemuel Jackson Cobb, a distinguished former member of both Houses of the Legislature of Alabama, passed away on June 9, 1962, and

WHEREAS, Mr. Cobb was a prominent alumnus of two of our institutions of higher learning, Auburn University and the University of Alabama, and

WHEREAS, Mr. Cobb so ably practiced his chosen profession of law in his community where he was held in high esteem and affection, and

WHEREAS, his loss will be sorely felt by his friends and colleagues throughout the State of Alabama; now therefore, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA:

That the Legislature of Alabama expresses its sorrow and regret upon the death of Mr. Cobb and extends its deepest sympathy to Mrs. Cobb upon the loss of her husband.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. Cobb.

On motion of Mr. Meade the rules were suspended and H. J. R. 17 was adopted.

Also:

By Messrs. Bassett and Sorrell:

H. J. R. 18. WHEREAS, Catherine Collins Gardner was a member of the first faculty of the Troy Normal School when the school was established in 1887; and

WHEREAS, Miss Gardner served the Normal School almost continuously for more than a half century, first as a teacher of the third grade in the Model School and as a teacher in the Normal School, and from 1896 until her retirement in 1941 as the Director of the Model School; and

WHEREAS, Miss Gardner is the only surviving member of a group of educators known to the teaching profession as the "Immortal Seven"; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING; That the new girls' dormitory at Troy State College be named the "Catherine Collins Gardner Dormitory" and that such name shall be appropriately inscribed or affixed to the building in such manner as the governing authorities of the institution may direct.

On motion of Mr. Bassett the rules were suspended and H. J. R. 18 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

JOINT RESOLUTION

By Mr. Hines:

S. J. R. 4. WHEREAS, death came to Mrs. Mary Samford Wooten, a beloved and esteemed native of Opelika, Alabama, in Princeton, Massachusetts on June 15, 1962, and

WHEREAS, Mrs. Wooten was a distinguished member of a distinguished family long influential in the shaping of the history and progress of our State, being a daughter of former Governor and Mrs. William James Samford, and

WHEREAS, Mrs. Wooten was the widow of the late Dr. Benjamin A. Wooten, long time esteemed head of the physics department at the University of Alabama, and

WHEREAS, Mrs. Wooten was herself a highly valued and beloved leader in her own community, being an active member of Emmanuel Episcopal Church and of the United Daughters of the Confederacy, Round Table Club, and many other civic and social organizations in Opelika, and

WHEREAS, Mrs. Wooten is survived by her two sisters, Mrs. Susan Samford Smith and Mrs. Caroline Samford Giles, a son, Dr. Benjamin A. Wooten, Jr., professor of physics at Worcester Polytechnic Institute, Worcester, Massachusetts, and many nieces and nephews, and

WHEREAS, the State of Alabama has suffered a distinct loss in the passing of this distinguished and beloved citizen of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That the Legislature of Alabama expresses its deepest regret and extends its sincerest sympathy to the family of Mrs. Wooten upon the passing of this distinguished and beloved citizen of Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. Susan Samford Smith, Mrs. Caroline Samford Giles, and Dr. Benjamin A. Wooten, Jr.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Turnham the rules were suspended and the House concurred in and adopted the S.J.R. 4 set out in the above and foregoing Message from the Senate.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the fol-

lowing bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 114. Providing and to provide for the taking of depositions in connection with any controversy, suit, case, cause or proceeding pending or to be tried in any court of record in counties in Alabama having a population of not less than 100,000 people nor more than 115,000 people according to the 1960 or any subsequent Federal census of witnesses and parties for discovery or evidence in any controversy, suit, case, proceeding or cause at law or in equity contemplated or provided by Act 375 of Acts of Alabama of 1955, 1955 Acts of Alabama, Page 901, et sequitur, or any amendment thereof or thereto, or to which the provisions thereof are made applicable by other laws of Alabama, by Commissioners; fixing the power and authority of such Commissioners to take such depositions and conduct hearings therefor and to issue subpoenas and subpoenas duces tecum to witnesses and parties for the purpose of taking such depositions, providing for the compensation of such witnesses and parties and fixing the schedule of fees for such Commissioners for taking and certifying such depositions and providing for the taxing of such fees as costs.

H. 118. To apply only in counties in the state having populations of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; to designate voting officials and to prescribe their duties in the conduct of all elections held in such counties.

H. 119. To fix the time for opening and closing the polls in all counties having a population of not less than 110,000 nor more than 160,000 according to the last or any subsequent federal decennial census.

H. 120. To provide further for the compensation of election officials in each county having a population of not less than 110,000 nor more than 160,000, according to the 1960 or any subsequent federal decennial census.

H. 122. To extend, alter and rearrange the boundaries of the Town of Mount Vernon, so as to extend the corporate limits thereof.

H. 123. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 20,500 nor more than 21,850 according to the last or any subsequent federal decennial census.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Merrill and Albea:

H. 124. To amend Act No. 833, H. 1498, approved September 8, 1961, which levies a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in counties having populations of not less than 80,000 and not more than 96,000 according to the last or any subsequent federal decennial census, and provides for the collection and enforcement of such tax, so as to provide for the use of tax stamps in the collection of the tax and to authorize and provide for the seizure and confisca-

tion of any malt or brewed beverage hereby taxed on which the tax has not been paid and tax stamps affixed pursuant to this Act by any law enforcement officer of the county, of any municipality in the county, or of the state.

Local Legislation No. 1.

By Mr. Salter:

H. 125. To amend Sections 2 and 14, Act No. 913, H. 1319, Regular Session 1961 (Acts 1961, p. 1464) which Act authorizes the levy of special county privilege license and excise taxes for educational purposes when approved at a referendum election, in all counties having a population of 45,000 or less inhabitants.

State Administration.

By Messrs. McCorquodale and Dunn:

H. 126. Relating to counties having populations of not less than 25,700 nor more 25,950; to alter, rearrange and extend the corporate limits of certain towns within such counties.

Local Legislation No. 1.

By Mr. Cabiness:

H. 127. Relating to representation of the several counties and senatorial districts of the State in the State Legislature, providing that representatives for each of the several counties and senators for each of the several senatorial districts shall be citizens and residents of the counties and districts which they respectively represent, but that they shall be elected by the qualified electors of the State at large.

Judiciary.

By Mr. Self:

H. 128. To apply only in counties having populations of not less than 21,800 nor more than 21,850 according to the last or any subsequent federal decennial census; to provide for the uniform operation of school terms for all public schools within such counties.

Local Legislation No. 1.

By Mr. Self:

H. 129. To apply only in counties having populations of not less than 21,800 nor more than 21,850; to prescribe qualifications, compensation and duties of members of the county board of education.

Local Legislation No. 1.

By Messrs. Rogers (Mobile), Perry, Hawkins, Rast, Sessions, Locke, Edwards, Morrow and Engel:

H. 130. To provide further for nominations by political parties of candidates for the legislature to be elected in the general election in November 1962 in the event the legislature is reapportioned; authorizing, providing for and regulating a special primary election under certain conditions for the purpose of nominating such candidates and confirming

and continuing certain nominations made in the primary elections in May 1962.

Judiciary.

By Mr. Goodwyn:

H. 131. To validate the incorporation of municipalities attempted to be organized in territory of less than 1,000 inhabitants, in which in any election held for the purpose of incorporation, since June 30, 1961, a majority of the electors participating in said election voted in favor of incorporation, but which election may have been irregular because of failure to comply with requirements as to publication or posting or any other procedures required by law.

Local Legislation No. 1.

By Mr. Ferguson:

H. 132. Providing that in any county having a population of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census, it shall be unlawful for any person to go upon or remain upon the lands, buildings or premises of another or any part, portion, or area thereof after having been forbidden to do so either orally or in writing by the owner, lessee, custodian, or other person in possession thereof, his agent or representative or after having been forbidden to do so by a written legible sign or signs posted on such lands, buildings or premises at a place or places where such sign or signs are visible, and to fix the punishments for a violation of this Act.

Local Legislation No. 1.

By Mr. Ferguson:

H. 133. Providing that in any county having a population of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census, it shall be unlawful for any person to enter, or attempt to enter, any church of which he is not a member while religious services are in progress therein after having been requested not to enter or attempt to enter said church by any member, usher, minister or preacher of said church, or to fail to leave or vacate said church of which he is not a member after such service has begun therein when requested to do so by any member, usher or preacher or minister of said church, and to provide and prescribe punishment for violation of this Act.

Local Legislation No. 1.

By Messrs. Ferguson and Callahan:

H. 134. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 100,000 nor more than 110,000 according to the last or any subsequent federal decennial census.

Local Legislation No. 1.

BILLS ON THIRD READING MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Perry to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 32, as amended, was adopted.

And the bill:

H. 32. To confer upon the Alabama Public Service Commission exclusive authority and power to regulate the rates of and to supervise certain public utilities the operation of which are exempt, in whole or in part, from the provisions of the Alabama Motor Carrier Act of 1939, and which said utilities are engaged in business as common carriers of passengers for hire within counties having a population of 500,000 or more inhabitants according to the latest or any subsequent federal census.

As amended, was again taken up.

And said bill, H. 32, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hardy	Pierce
Adams	Dickson	Harvey	Powell
Albea	Dodd	Hearn	Pruitt
Avery	Dunn	Ingram	Ramey
Bailey	Engel	Jenkins	Rast
Barnett	Faulk	Johnson (J. T. Tom)	Ray
Bassett	Ferguson	Johnston (Leonard)	Rogers (Macon)
Bevill	Ford	Lee	Rogers (Mobile)
Bishop	Franklin	Long (Lauderdale)	Salter
Brannan	Gilchrist	Long (Perry)	Sessions
Branyon	Gilmer	McClendon (Chambers)	Shumate
Brewer	Glass	McCorquodale	Solomon
Britton	Goldthwaite	McLendon (Bullock)	Sorrell
Broadfoot	Goodwyn	Merrill	Steagall
Brooks	Gordon	Morrow	Sullivan
Cabiness	Grant	Murphy	Taylor
Camp	Gross	Nettles	Thomas
Casey	Grouby	Nichols	Torbert
Cates	Guthrie	Oden	Turner
Cook	Hain	Owens	Turnham
Copeland	Hanby	Perry	Vickers
Cornett	Hankins		

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And the bill:

H. 11. To amend Act No. 409, H. 809, approved September 9, 1955, (Acts of Organizational—Special—Regular Sessions 1955, Vol. II, p. 954) which relates to furnishing equipment, supplies, and additional clerks to the tax assessor and the tax collector of counties having a population of not less than 30,700 nor more than 31,400 inhabitants according to the decennial census of the United States of 1950, and having two court houses and a court of county commissioners:

Relating to counties having a population not less than 30,000 nor more than 34,000 inhabitants according to the last or any subsequent decennial census of the United States, and having two court houses and a court of county commissioners; providing for the furnishing of additional clerks to the tax assessor and the tax collector of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hardy	Owens
Adams	Dodd	Harvey	Perry
Albea	Dunn	Hawkins	Pierce
Avery	Edwards	Hearn	Powell
Bailey	Engel	Ingram	Pruitt
Barnett	Faulk	Jenkins	Ramey
Bassett	Ferguson	Johnson (J. T. Tom)	Rast
Bevill	Ford	Johnston (Leonard)	Ray
Bishop	Franklin	Jones (Monroe)	Rogers (Macon)
Brannan	Gilchrist	Lee	Rogers (Mobile)
Branyon	Gilmer	Long (Perry)	Sessions
Brewer	Glass	McClendon (Chambers)	Shumate
Britton	Goldthwaite	McCorquodale	Solomon
Broadfoot	Goodwyn	McLendon (Bullock)	Sorrell
Cabiness	Gordon	Martin	Steagall
Camp	Grant	Merrill	Sullivan
Casey	Grouby	Morrow	Taylor
Cates	Guthrie	Murphy	Thomas
Cook	Hain	Nettles	Turner
Copeland	Hanby	Nichols	Turnham
Cornett	Hankins	Oden	

—83

And the bill:

H. 96. Relating to Colbert County; levying additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments and additions thereto; providing for the enforcement and collection of the taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; prescribing the purposes for which such proceeds may be used; and superseding Act No. 485, H. 1049, approved August 30, 1949 (Acts 1949, p. 704), the county sales and use tax law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Branyon	Cornett	Franklin
Adams	Brewer	Daniel	Gilchrist
Albea	Britton	Dickson	Gilmer
Avery	Brooks	Dodd	Glass
Bailey	Cabiness	Dunn	Goodwyn
Barnett	Camp	Edwards	Gordon
Bassett	Casey	Engel	Grant
Bevill	Cates	Faulk	Gross
Bishop	Cook	Ferguson	Grouby
Brannan	Copeland	Ford	Guthrie

Hain	Jones (Monroe)	Owens	Sessions
Hanby	Lee	Perry	Shumate
Hankins	Long (Perry)	Pierce	Solomon
Hardy	McClendon (Chambers)	Powell	Sorrell
Harvey	McCorquodale	Pruitt	Steagall
Hawkins	McLendon (Butlock)	Ramey	Sullivan
Hearn	Martin	Rast	Taylor
Ingram	Merrill	Ray	Thomas
Jenkins	Morrow	Rogers (Macon)	Torbert
Johnson (J. T. Tom)	Murphy	Rogers (Mobile)	Turner
Johnston (Leonard)	Nettles	Salter	Turnham
Jones (Covington)	Nichols		

—86

And the bill:

H. 97. To amend further Section 2 of Act No. 131, H. 333, Regular Session 1949, an act which created and established the board of revenue for Colbert County (Acts 1949, p. 157).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Dodd	Hawkins	Pierce
Albea	Dunn	Hearn	Powell
Avery	Edwards	Ingram	Pruitt
Bailey	Engel	Jenkins	Ramey
Barnett	Faulk	Johnson (J. T. Tom)	Rast
Bassett	Ferguson	Johnston (Leonard)	Ray
Bevill	Ford	Jones (Covington)	Reynolds (Chambers)
Bishop	Franklin	Jones (Monroe)	Rogers (Macon)
Brannan	Gilchrist	Lee	Rogers (Mobile)
Branyon	Gilmer	Locke	Salter
Brewer	Glass	Long (Perry)	Self
Britton	Gordon	McClendon (Chambers)	Sessions
Brooks	Grant	McCorquodale	Shumate
Cabiness	Gross	McLendon (Butlock)	Solomon
Camp	Grouby	Martin	Sorrell
Casey	Guthrie	Merrill	Steagall
Cates	Hain	Morrow	Sullivan
Cook	Hanby	Murphy	Taylor
Copeland	Hankins	Nettles	Thomas
Cornett	Hardy	Nichols	Torbert
Daniel	Harris	Owens	Turner
Dickson	Harvey	Perry	Turnham

—88

And the bill:

H. 98. To make it unlawful for a member of the governing body of the Colbert County Hospital to have any financial or beneficial interest in, or receive anything of value or promise thereof for the purchase, or contract to purchase insurance, personal property, or contractual service for such hospital; and to prescribe penalties for the violation of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dunn	Ingram	Ramey
Albea	Edwards	Jenkins	Rast
Bailey	Engel	Johnson (J. T. Tom)	Ray
Barnett	Faulk	Johnston (Leonard)	Reynolds (Chambers)
Bassett	Ferguson	Jones (Covington)	Roberts
Bevill	Ford	Lee	Rogers (Wacon)
Bishop	Franklin	Long (Perry)	Rogers (Mobile)
Brannan	Gilchrist	McClendon (Chambers)	Salter
Branyon	Gilmer	McCorquodale	Self
Brewer	Glass	McLendon (Bullock)	Sessions
Britton	Gordon	Martin	Shumate
Broadfoot	Grant	Meade	Solomon
Brooks	Gross	Merrill	Sorrell
Cabiness	Grouby	Morrow	Speaks
Camp	Guthrie	Murphy	Steagall
Casey	Hain	Nettles	Sullivan
Cates	Hanby	Nichols	Taylor
Cook	Hankins	Owens	Thomas
Copeland	Hardy	Perry	Torbert
Cornett	Harris	Pierce	Turner
Daniel	Harvey	Powell	Turnham
Dickson	Hawkins	Pruitt	Vickers
Dodd	Hearn		

—90

And the bill:

H. 99. To provide an allowance for expenses to the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Camp	Franklin	Hawkins
Albea	Casey	Gilchrist	Hearn
Avery	Cates	Gilmer	Ingram
Bailey	Cook	Glass	Johnson (J. T. Tom)
Barnett	Copeland	Gordon	Johnston (Leonard)
Bassett	Cornett	Grant	Jones (Covington)
Bevill	Daniel	Gross	Jones (Monroe)
Bishop	Dickson	Grouby	Lee
Brannan	Dodd	Guthrie	Locke
Branyon	Dunn	Hain	Long (Lauderdale)
Brewer	Edwards	Hanby	Long (Perry)
Britton	Engel	Hankins	McClendon (Chambers)
Broadfoot	Faulk	Hardy	McCorquodale
Brooks	Ferguson	Harris	McLendon (Bullock)
Cabiness	Ford	Harvey	Martin

Meade	Pierce	Rogers (Macon)	Steagall
Merrill	Powell	Rogers (Mobile)	Sullivan
Morrow	Pruitt	Salter	Taylor
Murphy	Ramey	Self	Thomas
Nettles	Rast	Sessions	Torbert
Nichols	Ray	Shumate	Turner
Owens	Reynolds (Chambers)	Solomon	Turnham
Perry	Roberts	Sorrell	Vickers

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And the bill:

H. 106. To amend the Title and Sections 1 and 2 of Act No. 839, H. 1516, of the 1961 Legislature, approved September 8, 1961, entitled "An Act to authorize and direct the county governing body of Mobile County to pay certain sums as supplementary pension payments to certain employees of the county entitled to retirement pay from sources to which the county has contributed."

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Dodd	Jenkins	Pruitt
Adams	Dunn	Johnson (J. T. Tom)	Ramey
Albea	Edwards	Johnston (Leonard)	Rast
Avery	Engel	Jones (Govington)	Ray
Bailey	Faulk	Jones (Monroe)	Reynolds (Chambers)
Barnett	Ferguson	Lee	Rogers (Macon)
Bassett	Ford	Locke	Rogers (Mobile)
Bevill	Franklin	Long (Lauderdale)	Salter
Bishop	Gilchrist	Long (Perry)	Self
Brannan	Gilmer	McClendon (Chambers)	Sessions
Branyon	Glass	McCorquodale	Shumate
Brewer	Gordon	McLendon (Bullock)	Smith (Russell)
Britton	Grant	Martin	Solomon
Broadfoot	Gross	Meade	Sorrell
Brooks	Grouby	Merrill	Speaks
Cabiness	Guthrie	Morrow	Steagall
Camp	Hain	Murphy	Sullivan
Casey	Hanby	Nettles	Taylor
Cates	Hankins	Nichols	Thomas
Cook	Hardy	Oden	Torbert
Copeland	Harvey	Owens	Turner
Cornett	Hawkins	Perry	Turnham
Daniel	Hearn	Pierce	Vickers
Dickson	Ingram	Powell	

—95

And the bill:

H. 107. To further amend Section 4 (a) of act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge

of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court" (Act No. 345, S. 291, 1955 Acts Vol. II, p. 783).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dodd	Jenkins	Powell
Albea	Dunn	Johnson (J. T. Tom)	Pruitt
Avery	Edwards	Johnston (Leonard)	Ramey
Bailey	Engel	Jones (Covington)	Rast
Barnett	Faulk	Jones (Monroe)	Ray
Bassett	Ferguson	Lee	Reynolds (Chambers)
Bevill	Ford	Locke	Rogers (Macon)
Bishop	Franklin	Long (Lauderdale)	Rogers (Mobile)
Brannan	Gilchrist	Long (Perry)	Salter
Branyon	Glass	McClendon (Chambers)	Self
Brewer	Gordon	McCorquodale	Sessions
Britton	Grant	McLendon (Bullock)	Shumate
Broadfoot	Grouby	Martin	Solomon
Brooks	Guthrie	Meade	Sorrell
Cabiness	Hain	Merrill	Speaks
Camp	Hanby	Morrow	Steagall
Casey	Hankins	Murphy	Sullivan
Cates	Hardy	Nettles	Taylor
Cook	Harris	Nichols	Thomas
Copeland	Harvey	Oden	Torbert
Cornett	Hawkins	Owens	Turner
Daniel	Hearn	Perry	Turnham
Dickson	Ingram	Pierce	Vickers

—92

And the bill:

H. 108. To amend Section 13 of Act No. 934 of the 1961 Legislature approved September 9, 1961 to provide for further distribution of the costs of carrying out the provisions of said Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Brewer	Dodd	Grant
Adams	Britton	Dunn	Gross
Albea	Brooks	Edwards	Grouby
Avery	Cabiness	Faulk	Guthrie
Bailey	Camp	Ferguson	Hain
Barnett	Cates	Ford	Hanby
Bassett	Cook	Franklin	Hankins
Bevill	Copeland	Gilchrist	Hardy
Bishop	Cornett	Gilmer	Harris
Brannan	Daniel	Glass	Harvey
Branyon	Dickson	Gordon	Hawkins

Hearn	McLendon (Bullock)	Powell	Solomon
Ingram	Martin	Pruitt	Sorrell
Jenkins	Meade	Ramey	Speaks
Johnson (J. T. Tom)	Merrill	Rast	Steagall
Johnston (Leonard)	Morrow	Ray	Sullivan
Jones (Covington)	Murphy	Reynolds (Chambers)	Taylor
Jones (Monroe)	Nettles	Rogers (Macon)	Thomas
Lee	Nichols	Salter	Torbert
Locke	Oden	Self	Turner
Long (Perry)	Owens	Sessions	Turnham
McClendon (Chambers)	Perry	Shumate	Vickers
McCorquodale	Pierce	Smith (Russell)	

—91

And the bill:

H. 100. To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Dodd	Jenkins	Pruitt
Adams	Dunn	Johnston (Leonard)	Ramey
Albea	Edwards	Jones (Covington)	Rast
Avery	Engel	Lee	Ray
Bailey	Faulk	Locke	Reynolds (Chambers)
Barnett	Ferguson	Long (Lauderdale)	Rogers (Macon)
Bassett	Ford	Long (Perry)	Rogers (Mobile)
Bevill	Franklin	McClendon (Chambers)	Salter
Bishop	Gilchrist	McCorquodale	Self
Brannon	Gilmer	McLendon (Bullock)	Sessions
Branyon	Glass	Martin	Shumate
Brewer	Gordon	Meade	Smith (Russell)
Britton	Grant	Merrill	Solomon
Broadfoot	Gross	Morrow	Sorrell
Brooks	Grouby	Murphy	Speaks
Cabiness	Hain	Nettles	Steagall
Camp	Hanby	Nichols	Sullivan
Casey	Hankins	Oakley	Taylor
Cates	Hardy	Oden	Thomas
Cook	Harris	Owens	Torbert
Copeland	Harvey	Perry	Turner
Cornett	Hawkins	Pierce	Turnham
Daniel	Hearn	Powell	Vickers
Dickson			

—93

And the bill:

H. 101. To amend Act. No. 49, H. 213, Regular Session 1957, which provides for a Chief Deputy Sheriff and other Deputies Sheriff of Elmore County and regulates their compensation, allowances, and expenses (Acts 1957, vol. I, p. 92).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Dodd	Jenkins	Powell
Adams	Dunn	Johnston (Leonard)	Pruitt
Albea	Edwards	Jones (Covington)	Ramey
Avery	Engel	Jones (Monroe)	Rast
Bailey	Faulk	Lee	Ray
Barnett	Ferguson	Locke	Reynolds (Chambers)
Bassett	Ford	Long (Lauderdale)	Rogers (Macon)
Bevill	Franklin	Long (Perry)	Rogers (Mobile)
Bishop	Gilchrist	McClendon (Chambers)	Salter
Brannan	Gilmer	McCorquodale	Self
Branyon	Glass	McLendon (Bullock)	Sessions
Brewer	Gordon	Martin	Shumate
Britton	Grant	Meade	Smith (Russell)
Broadfoot	Gross	Merrill	Solomon
Brooks	Grouby	Morrow	Sorrell
Cabiness	Hain	Murphy	Speaks
Camp	Hanby	Nettles	Steagall
Casey	Hankins	Nichols	Sullivan
Cates	Hardy	Oakley	Taylor
Cook	Harris	Oden	Thomas
Copeland	Harvey	Owens	Torbert
Cornett	Hawkins	Perry	Turner
Daniel	Hearn	Pierce	Turnham
Dickson			

—23

And the bill:

H. 102. To amend Section 1 of Act No. 153, H. 399, approved August 1, 1961 (Acts of Alabama 1961, p. 206) which act regulates the compensation of coroners in counties of not less than 96,000 nor more than 106,000 population, so as to authorize the payment of an expense allowance to the coroner in any such county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Britton	Dodd	Grant
Adams	Broadfoot	Dunn	Gross
Albea	Brooks	Edwards	Grouby
Avery	Cabiness	Engel	Hain
Bailey	Camp	Faulk	Hanby
Barnett	Casey	Ferguson	Hankins
Bassett	Cates	Ford	Hardy
Bevill	Cook	Franklin	Harris
Bishop	Copeland	Gilchrist	Harvey
Brannan	Cornett	Gilmer	Hawkins
Branyon	Daniel	Glass	Hearn
Brewer	Dickson	Gordon	Jenkins

Johnston (Leonard)	Merrill	Ramey	Solomon
Jones (Covington)	Morrow	Rast	Sorrell
Jones (Monroe)	Murphy	Ray	Speaks
Lee	Nettles	Reynolds (Chambers)	Steagall
Locke	Nichols	Rogers (Macon)	Sullivan
Long (Lauderdale)	Oakley	Rogers (Mobile)	Taylor
Long (Perry)	Oden	Salter	Thomas
McClendon (Chambers)	Owens	Self	Torbert
McCorquodale	Perry	Sessions	Turner
McLendon (Bullock)	Pierce	Shumate	Turnham
Martin	Powell	Smith (Russell)	Vickers
Meade	Pruitt		

—94

And the bill:

H. 103. To provide for the distribution and use of revenue received from the property tax levied as authorized by Amendment CCIII of the Constitution of Alabama 1901 in any county having a population of not less than 96,000 nor more than 106,000.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dodd	Johnston (Leonard)	Pruitt
Adams	Dunn	Jones (Covington)	Ramey
Albea	Edwards	Jones (Monroe)	Rast
Avery	Engel	Lee	Ray
Bailey	Faulk	Locke	Reynolds (Chambers)
Barnett	Ferguson	Long (Lauderdale)	Rogers (Macon)
Bassett	Ford	Long (Perry)	Rogers (Mobile)
Bevill	Franklin	McClendon (Chambers)	Salter
Bishop	Gilchrist	McCorquodale	Self
Brannan	Gilmer	McLendon (Bullock)	Sessions
Branyon	Glass	Martin	Shumate
Brewer	Gordon	Meade	Smith (Russell)
Britton	Grant	Merrill	Solomon
Broadfoot	Gross	Morrow	Sorrell
Cabiness	Grouby	Murphy	Speaks
Camp	Hain	Nettles	Steagall
Casey	Hanby	Nichols	Sullivan
Cates	Hankins	Oakley	Taylor
Cook	Hardy	Oden	Thomas
Copeland	Harris	Owens	Torbert
Cornett	Harvey	Perry	Turner
Daniel	Hawkins	Pierce	Turnham
Dickson	Hearn	Powell	

—91

And the bill:

H. 105. To prohibit the governing bodies of all cities and towns of counties having populations of not less than 61,000 nor more than 65,000 from licensing certain businesses, trades, and professions outside the corporate limits of such cities and towns.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Dunn	Jenkins	Powell
Adams	Edwards	Johnston (Leonard)	Pruitt
Albea	Engel	Jones (Covington)	Ramey
Avery	Faulk	Jones (Monroe)	Rast
Bailey	Ferguson	Lee	Ray
Barnett	Ford	Locke	Reynolds (Chambers)
Bassett	Franklin	Long (Lauderdale)	Rogers (Macon)
Bevill	Gilchrist	Long (Perry)	Rogers (Mobile)
Bishop	Gilmer	McClendon (Chambers)	Salter
Brannan	Glass	McCorquodale	Self
Branyon	Gordon	McLendon (Bullock)	Sessions
Brewer	Grant	Martin	Shumate
Britton	Gross	Meade	Smith (Russell)
Broadfoot	Grouby	Merrill	Solomon
Brooks	Hain	Morrow	Sorrell
Cabiness	Hanby	Murphy	Speaks
Camp	Hankins	Nettles	Steagall
Casey	Hardy	Nichols	Sullivan
Cook	Harris	Oakley	Taylor
Copeland	Harvey	Oden	Thomas
Cornett	Hawkins	Owens	Torbert
Daniel	Hearn	Perry	Turner
Dickson	Ingram	Pierce	Turnham
Dodd			

—98

And the bill:

H. 109. Relating to taxation in counties having populations of not less than 150,000 nor more than 300,000; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Broadfoot	Edwards	Hain
Adams	Brooks	Engel	Hanby
Albea	Cabiness	Faulk	Hankins
Avery	Camp	Ferguson	Hardy
Bailey	Casey	Ford	Harris
Barnett	Cates	Franklin	Harvey
Bassett	Cook	Gilchrist	Hawkins
Bevill	Copeland	Gilmer	Hearn
Bishop	Cornett	Glass	Ingram
Brannan	Daniel	Gordon	Jenkins
Branyon	Dickson	Grant	Johnston (Leonard)
Brewer	Dodd	Gross	Jones (Covington)
Britton	Dunn	Grouby	Jones (Monroe)

Lee	Murphy	Rast	Sorrell
Locke	Nettles	Ray	Speaks
Long (Lauderdale)	Nichols	Reynolds (Chambers)	Steagall
Long (Perry)	Oakley	Rogers (Macon)	Sullivan
McClendon (Chambers)	Oden	Rogers (Mobile)	Taylor
McCorquodale	Owens	Self	Thomas
McLendon (Bullock)	Perry	Sessions	Torbert
Martin	Pierce	Shumate	Turner
Meade	Powell	Smith (Russell)	Turnham
Merrill	Pruitt	Solomon	Vickers
Morrow	Ramey		

—94

And the bill:

H. 110. Relating to counties having populations of not less than 140,000 nor more than 250,000; to provide the procedure for initiating complaints under Act No. 295, Special Session, 1961, approved September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Dunn	Ingram	Powell
Adams	Edwards	Jenkins	Pruitt
Albea	Engel	Johnston (Leonard)	Ramey
Avery	Faulk	Jones (Covington)	Rast
Bailey	Ferguson	Jones (Monroe)	Ray
Barnett	Ford	Lee	Reynolds (Chambers)
Bassett	Franklin	Locke	Rogers (Macon)
Bevill	Gilchrist	Long (Lauderdale)	Rogers (Mobile)
Bishop	Gilmer	Long (Perry)	Salter
Brannan	Glass	McClendon (Chambers)	Self
Branyon	Goldthwaite	McCorquodale	Sessions
Brewer	Goodwyn	McLendon (Bullock)	Shumate
Britton	Gordon	Martin	Smith (Russell)
Broadfoot	Grant	Meade	Solomon
Brooks	Gross	Merrill	Sorrell
Cabiness	Grouby	Morrow	Speaks
Camp	Hain	Murphy	Steagall
Casey	Hanby	Nettles	Sullivan
Cates	Hankins	Nichols	Taylor
Cook	Hardy	Oakley	Thomas
Copeland	Harris	Oden	Torbert
Daniel	Harvey	Owens	Turner
Dickson	Hawkins	Perry	Turnham
Dodd	Hearn	Pierce	

—95

And the bill:

H. 111. To amend the title and Section 1 of Act No. 541, H. 512, approved August 28, 1951 (Acts 1951, p. 953) which provides for the allocation of the duties of the chairman and members of the city commission in certain cities classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Adams	Dodd	Jenkins	Pruitt
Albea	Dunn	Johnston (Leonard)	Ramey
Avery	Edwards	Jones (Covington)	Rast
Bailey	Engel	Jones (Monroe)	Ray
Barnett	Faulk	Lee	Reynolds (Chambers)
Bassett	Ferguson	Long (Lauderdale)	Rogers (Macon)
Bevill	Ford	Long (Perry)	Rogers (Mobile)
Bishop	Franklin	McClendon (Chambers)	Salter
Brannan	Gilchrist	McCorquodale	Self
Branyon	Gilmer	McLendon (Bullock)	Sessions
Brewer	Glass	Martin	Shumate
Britton	Gordon	Meade	Smith (Russell)
Broadfoot	Grant	Merrill	Solomon
Brooks	Gross	Morrow	Sorrell
Cabiness	Grouby	Murphy	Speaks
Camp	Hain	Nettles	Steagall
Casey	Hanby	Nichols	Sullivan
Cates	Hardy	Oakley	Taylor
Cook	Harris	Oden	Thomas
Copeland	Harvey	Owens	Torbert
Cornett	Hawkins	Perry	Turner
Daniel	Hearn	Pierce	Turnham

—92

And the bill:

H. 112. To authorize and provide for the establishment of a junior college to be located in any county having a population of not less than 65,000 nor more than 95,000 inhabitants; to create a board of trustees to govern such college; to authorize the board of trustees to select the location for such college, name it, appoint a president and certain other officers therefor, and prescribe rules and regulations to govern the college; to constitute the college a body corporate upon compliance with certain conditions; to authorize the board of trustees to accept gifts, donations, devises, and bequests; and to buy, hold, sell or otherwise dispose of real and personal property for and in the name of the college; to authorize the governing body of any such county and of each incorporated municipality in any such county to make appropriations of public funds in aid of the college; to authorize the board of education of any such county and the board of education of any incorporated municipality therein to use public school funds in aid of such college and to provide transportation and certain other facilities to students attending the college; to exempt from taxation the property of the college; and to exempt officers and employees of the college from certain civil duties and from certain municipal privilege licenses.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Albea	Bailey	Bassett
Adams	Avery	Barnett	Bevill

Bishop	Ford	Lee	Ramey
Brannan	Franklin	Locke	Rast
Branyon	Gilchrist	Long (Lauderdale)	Ray
Brewer	Gilmer	Long (Perry)	Reynolds (Chambers)
Britton	Glass	McClendon (Chambers)	Rogers (Macon)
Broadfoot	Gordon	McCorquodale	Rogers (Mobile)
Brooks	Grant	McLendon (Bullock)	Salter
Cabiness	Gross	Martin	Self
Camp	Grouby	Meade	Sessions
Casey	Hain	Merrill	Shumate
Cates	Hanby	Morrow	Smith (Russell)
Cook	Hankins	Murphy	Solomon
Copeland	Hardy	Nettles	Sorrell
Cornett	Harris	Nichols	Speaks
Daniel	Harvey	Oakley	Steagall
Dickson	Hawkins	Oden	Sullivan
Dodd	Hearn	Owens	Taylor
Dunn	Ingram	Perry	Thomas
Edwards	Jenkins	Pierce	Torbert
Engel	Johnston (Leonard)	Powell	Turner
Faulk	Jones (Covington)	Pruitt	Turnham
Ferguson	Jones (Monroe)		

—94

And the bill:

H. 116. Relating to counties having populations of not less than 13,900 nor more than 14,800; providing an additional deputy sheriff for such counties whose compensation shall be payable from the county highway and traffic fund.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hearn	Powell
Adams	Dodd	Ingram	Pruitt
Albea	Dunn	Johnston (Leonard)	Ramey
Avery	Edwards	Jones (Covington)	Rast
Bailey	Engel	Jones (Monroe)	Ray
Barnett	Faulk	Lee	Reynolds (Chambers)
Bassett	Ferguson	Locke	Rogers (Macon)
Bevill	Ford	Long (Lauderdale)	Rogers (Mobile)
Bishop	Franklin	Long (Perry)	Salter
Brannan	Gilchrist	McClendon (Chambers)	Self
Branyon	Gilmer	McCorquodale	Sessions
Brewer	Glass	McLendon (Bullock)	Shumate
Britton	Gordon	Martin	Smith (Russell)
Broadfoot	Grant	Meade	Solomon
Brooks	Gross	Merrill	Sorrell
Cabiness	Grouby	Murphy	Speaks
Camp	Hain	Nettles	Steagall
Casey	Hanby	Nichols	Sullivan
Cates	Hankins	Oakley	Taylor
Cook	Hardy	Oden	Thomas
Copeland	Harris	Owens	Torbert
Cornett	Harvey	Perry	Turner
Daniel	Hawkins	Pierce	Turnham

—92

And the bill:

H. 117. To apply only in counties of the state having populations of not less than 19,500 nor more than 20,000 inhabitants according to the last or any subsequent federal decennial census, to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Dodd	Hearn	Powell
Adams	Dunn	Ingram	Pruitt
Albea	Edwards	Johnston (Leonard)	Ramey
Avery	Engel	Jones (Covington)	Rast
Bailey	Faulk	Jones (Monroe)	Ray
Barnett	Ferguson	Lee	Reynolds (Chambers)
Bassett	Ford	Locke	Rogers (Macon)
Bevill	Franklin	Long (Perry)	Rogers (Mobile)
Bishop	Gilchrist	McClendon (Chambers)	Salter
Brannan	Gilmer	McCorquodale	Self
Branyon	Glass	McLendon (Bullock)	Sessions
Brewer	Gordon	Martin	Shumate
Britton	Grant	Meade	Smith (Russell)
Brooks	Gross	Merrill	Solomon
Cabiness	Grouby	Murphy	Sorrell
Camp	Hain	Nettles	Speaks
Casey	Hanby	Nichols	Steagall
Cates	Hankins	Oakley	Sullivan
Cook	Hardy	Oden	Taylor
Copeland	Harris	Owens	Thomas
Cornett	Harvey	Perry	Turner
Daniel	Hawkins	Pierce	Turnham
Dickson			

—89

And the bill:

S. 15. Relating to counties having populations of not less than 15,300 nor more than 15,400 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law; giving the act retroactive effect.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Avery	Bassett	Brannan
Adams	Bailey	Bevill	Branyon
Albea	Barnett	Bishop	Brewer

Britton	Gilchrist	Locke	Rast
Broadfoot	Gilmer	Long (Lauderdale)	Ray
Brooks	Glass	Long (Perry)	Reynolds (Chambers)
Cabiness	Goodwyn	McClendon (Chambers)	Rogers (Macon)
Camp	Gordon	McCorquodale	Rogers (Mobile)
Casey	Grant	McLendon (Bullock)	Self
Cates	Gross	Martin	Sessions
Cook	Grouby	Meade	Shumate
Copeland	Hain	Merrill	Smith (Russell)
Cornett	Hanby	Murphy	Solomon
Daniel	Hankins	Nettles	Sorrell
Dickson	Hardy	Nichols	Speaks
Dodd	Harris	Oakley	Steagall
Dunn	Harvey	Oden	Sullivan
Edwards	Hawkins	Owens	Taylor
Engel	Hearn	Perry	Thomas
Faulk	Ingram	Pierce	Torbert
Ferguson	Johnston (Leonard)	Powell	Turner
Ford	Jones (Monroe)	Pruitt	Turnham
Franklin	Lee	Ramey	

—91

And the bill:

S. 16. To regulate the compensation of members of the county board of education in counties having populations of not less than 15,300 nor more than 15,400 inhabitants according to the 1960 federal decennial census; giving the Act retroactive effect.

Was read a third time at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hearn	Pierce
Adams	Dodd	Ingram	Powell
Albea	Edwards	Johnston (Leonard)	Pruitt
Avery	Engel	Jones (Covington)	Ramey
Bailey	Faulk	Jones (Monroe)	Rast
Barnett	Ferguson	Lee	Ray
Bassett	Ford	Locke	Reynolds (Chambers)
Bevill	Franklin	Long (Lauderdale)	Rogers (Macon)
Bishop	Gilchrist	Long (Perry)	Rogers (Mobile)
Brannan	Gilmer	McClendon (Chambers)	Salter
Branyon	Glass	McCorquodale	Self
Brewer	Goodwyn	McLendon (Bullock)	Sessions
Britton	Gordon	Martin	Shumate
Broadfoot	Gross	Meade	Smith (Russell)
Brooks	Grouby	Merrill	Solomon
Cabiness	Hain	Murphy	Sorrell
Camp	Hanby	Nettles	Speaks
Casey	Hankins	Nichols	Steagall
Cates	Hardy	Oakley	Sullivan
Cook	Harris	Oden	Thomas
Copeland	Harvey	Owens	Turner
Cornett	Hawkins	Perry	Turnham
Daniel			

—89

And the bill:

S. 17. To provide for the employment of a deputy clerk in the office of the clerk of the circuit court in counties of not less than 15,300 nor more than 15,400 population according to the last or any subsequent federal decennial census, and giving the Act retroactive effect.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hearn	Pruitt
Adams	Dodd	Ingram	Ramey
Albea	Dunn	Johnston (Leonard)	Rast
Avery	Edwards	Jones (Covington)	Ray
Bailey	Engel	Jones (Monroe)	Reynolds (Chambers)
Barnett	Faulk	Lee	Rogers (Macon)
Bassett	Ferguson	Locke	Rogers (Mobile)
Bevill	Ford	Long (Perry)	Salter
Bishop	Franklin	McClendon (Chambers)	Self
Brannan	Gilchrist	McCorquodale	Sessions
Branyon	Gilmer	McLendon (Bullock)	Shumate
Brewer	Glass	Martin	Smith (Russell)
Britton	Gordon	Meade	Solomon
Broadfoot	Grant	Merrill	Sorrell
Brooks	Gross	Murphy	Speaks
Cabiness	Grouby	Nettles	Steagall
Camp	Hain	Nichols	Sullivan
Casey	Hanby	Oakley	Taylor
Cates	Hankins	Oden	Thomas
Cook	Hardy	Owens	Torbert
Copeland	Harris	Perry	Turner
Cornett	Harvey	Pierce	Turnham
Daniel	Hawkins	Powell	Vickers

—92

And the bill:

S. 18. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than 15,300 nor more than 15,400 according to the 1960 or any subsequent federal decennial census, and giving the act retroactive effect.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Bishop	Camp	Dodd
Adams	Brannan	Casey	Dunn
Albea	Branyon	Cates	Edwards
Avery	Brewer	Cook	Engel
Bailey	Britton	Copeland	Faulk
Barnett	Broadfoot	Cornett	Ferguson
Bassett	Brooks	Daniel	Ford
Bevill	Cabiness	Dickson	Franklin

Gilchrist	Ingram	Nichols	Salter
Gilmer	Jones (Covington)	Oakley	Self
Glass	Jones (Monroe)	Oden	Sessions
Gordon	Lee	Owens	Shumate
Grant	Locke	Perry	Smith (Russell)
Gross	Long (Lauderdale)	Pierce	Solomon
Grouby	Long (Perry)	Powell	Sorrell
Hain	McClendon (Chambers)	Pruitt	Speaks
Hanby	McCorquodale	Ramey	Steagall
Hankins	McLendon (Bullock)	Rast	Sullivan
Hardy	Martin	Ray	Taylor
Harris	Meade	Reynolds (Chambers)	Torbert
Harvey	Merrill	Roberts	Turner
Hawkins	Murphy	Rogers (Macon)	Turnham
Hearn	Nettles	Rogers (Mobile)	

—91

And the bill:

S. 21. Relating to cities having populations of not less than 100,000 nor more than 200,000 inhabitants: To provide for the payment of benefits to employees of any such city who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such city who are killed in the performance of their official duties.

Was read a third time at length and passed.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Dodd	Ingram	Pruitt
Adams	Dunn	Johnston (Leonard)	Ramey
Albea	Edwards	Jones (Covington)	Rast
Avery	Engel	Jones (Monroe)	Ray
Bailey	Faulk	Lee	Reynolds (Chambers)
Barnett	Ferguson	Locke	Roberts
Bassett	Ford	Long (Lauderdale)	Rogers (Macon)
Bevill	Franklin	Long (Perry)	Rogers (Mobile)
Bishop	Gilchrist	McClendon (Chambers)	Salter
Brannan	Gilmer	McCorquodale	Self
Branyon	Glass	McLendon (Bullock)	Sessions
Brewer	Gordon	Martin	Shumate
Britton	Grant	Meade	Smith (Russell)
Broadfoot	Gross	Merrill	Solomon
Brooks	Grouby	Murphy	Sorrell
Cabiness	Guthrie	Nettles	Speaks
Camp	Hain	Nichols	Steagall
Casey	Hanby	Oakley	Sullivan
Cates	Hankins	Oden	Taylor
Cook	Hardy	Owens	Thomas
Copeland	Harris	Perry	Torbert
Cornett	Harvey	Pierce	Turner
Daniel	Hawkins	Powell	Turnham
Dickson	Hearn		

—94

And the bill:

S. 22. To repeal Act No. 627 of the 1961 Regular Session of the Legislature of Alabama proposing an amendment to the Constitution of Ala-

bama relative to the levying of additional taxes for school purposes within Montgomery County.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Dodd	Hearn	Powell
Adams	Dunn	Ingram	Pruitt
Albea	Edwards	Jenkins	Ramey
Avery	Engel	Johnston (Leonard)	Rast
Bailey	Faulk	Jones (Covington)	Ray
Barnett	Ferguson	Jones (Monroe)	Reynolds (Chambers)
Bassett	Ford	Lee	Rogers (Macon)
Bevill	Franklin	Locke	Rogers (Mobile)
Bishop	Gilchrist	Long (Perry)	Salter
Brannan	Gilmer	McClendon (Chambers)	Self
Branyon	Glass	McCorquodale	Sessions
Brewer	Goldthwaite	McLendon (Bullock)	Shumate
Britton	Gordon	Martin	Smith (Russell)
Broadfoot	Gross	Meade	Solomon
Brooks	Grouby	Merrill	Sorrell
Cabiness	Guthrie	Murphy	Speaks
Camp	Hain	Nettles	Steagall
Casey	Hanby	Nichols	Sullivan
Cates	Hankins	Oakley	Taylor
Cook	Hardy	Oden	Thomas
Copeland	Harris	Owens	Torbert
Cornett	Harvey	Perry	Turner
Daniel	Hawkins	Pierce	Turnham
Dickson			

—93

And the bill:

S. 23. Relating to counties having populations of not less than 150,000 nor more than 300,000 inhabitants: To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

Was read a third time at length and passed.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Brewer	Cornett	Franklin
Albea	Britton	Daniel	Gilchrist
Avery	Broadfoot	Dickson	Gilmer
Bailey	Brooks	Dodd	Glass
Barnett	Cabiness	Dunn	Goldthwaite
Bassett	Camp	Edwards	Goodwyn
Bevill	Casey	Engel	Gordon
Bishop	Cates	Faulk	Grant
Brannan	Cook	Ferguson	Gross
Branyon	Copeland	Ford	Grouby

Guthrie	Locke	Owens	Sessions
Hain	Long (Lauderdale)	Perry	Shumate
Hanby	Long (Perry)	Pierce	Smith (Russell)
Hankins	McClendon (Chambers)	Powell	Solomon
Hardy	McCorquodale	Pruitt	Sorrell
Harris	McLendon (Bullock)	Ramey	Speaks
Harvey	Martin	Rast	Steagall
Hawkins	Meade	Ray	Sullivan
Hearn	Merrill	Reynolds (Chambers)	Taylor
Ingram	Murphy	Rogers (Macon)	Thomas
Jenkins	Nettles	Rogers (Mobile)	Torbert
Johnston (Leonard)	Nichols	Salter	Turner
Jones (Monroe)	Oakley	Self	Turnham
Lee	Oden		

—94

And the bill:

S. 25. To amend Sections 2, 5, and 7 of Act No. 317 adopted at the 1943 Regular Session of the Legislature of Alabama so as to make changes in the provisions thereof respecting the details and sales of securities by Wilcox County.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dodd	Harvey	Pierce
Adams	Dunn	Hawkins	Powell
Albea	Edwards	Hearn	Pruitt
Avery	Engel	Ingram	Ramey
Bailey	Faulk	Jenkins	Rast
Barnett	Ferguson	Johnston (Leonard)	Ray
Bassett	Ford	Jones (Covington)	Reynolds (Chambers)
Bevill	Franklin	Lee	Rogers (Macon)
Bishop	Gilchrist	Locke	Rogers (Mobile)
Brannan	Gilmer	Long (Perry)	Salter
Branyon	Glass	McClendon (Chambers)	Self
Brewer	Goldthwaite	McCorquodale	Sessions
Britton	Goodwyn	McLendon (Bullock)	Smith (Russell)
Brooks	Gordon	Martin	Solomon
Cabiness	Grant	Meade	Sorrell
Camp	Gross	Merrill	Speaks
Casey	Grouby	Murphy	Steagall
Cates	Guthrie	Nettles	Sullivan
Cook	Hain	Nichols	Taylor
Copeland	Hanby	Oakley	Thomas
Cornett	Hankins	Oden	Torbert
Daniel	Hardy	Owens	Turner
Dickson	Harris	Perry	Turnham

—92

And the bill:

H. 59. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

As amended, was again taken up.

Mr. Smith (Russell) offered the following substitute for the bill, H. 59, as amended:

A BILL
TO BE ENTITLED
AN ACT

Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Be It Enacted by the Legislature of Alabama:

Section 1. The State Senate shall be composed of 35 senators representing 35 senatorial districts. Each district shall be entitled to one senator and no more.

Section 2. The State is hereby divided, as follows, into 35 senatorial districts, which districts are as nearly equal to each other in the number of inhabitants as may be, having regard to the requirements of Article IX of the Constitution of Alabama that no county shall be divided between two districts and that no district shall be made up of two or more counties not contiguous to each other:

First District, the county of Lauderdale; Second District, the county of Madison; Third District, the county of Morgan; Fourth District, the county of Etowah; Fifth District, the county of Calhoun; Sixth District, the county of Walker; Seventh District the county of Tuscaloosa; Eighth District, the county of Jefferson; Ninth District, the county of Talladega; Tenth District, the county of Dallas; Eleventh District, the county of Montgomery; Twelfth District, the county of Mobile; Thirteenth District, the counties of Colbert and Franklin; Fourteenth District, the counties of Lawrence and Limestone; Fifteenth District, the counties of Jackson and Marshall; Sixteenth District, the counties of Cherokee and DeKalb; Seventeenth District, the counties of Fayette, Lamar and Marion; Eighteenth District, the counties of Cullman and Winston; Nineteenth District, the counties of Blount and St. Clair; Twentieth District, the counties of Clay, Cleburne and Coosa; Twenty-first District, the counties of Greene, Pickens and Sumter; Twenty-second District, the counties of Autauga, Chilton and Shelby; Twenty-third District, the counties of Elmore and Tallapoosa; Twenty-fourth District, the counties of Chambers and Randolph; Twenty-fifth District, the counties of Bibb, Hale and Perry; Twenty-sixth District, the counties of Clarke, Choctaw and Washington; Twenty-seventh District, the counties of Marengo, Monroe and Wilcox; Twenty-eighth District, the counties of Bullock and Macon; Twenty-ninth District, the counties of Barbour and Pike; Thirtieth District, the counties of Lee and Russell; Thirty-first District, the counties of Baldwin and Escambia; Thirty-second District, the counties of Butler, Conecuh and Lowndes; Thirty-third District, the counties of Coffee, Crenshaw and Covington; Thirty-fourth District, the counties of Dale and Geneva; Thirty-fifth District, the counties of Henry and Houston.

Section 3. The House of Representatives shall consist of 106 members apportioned among the several counties of the State as follows, due consideration having been given to the number of inhabitants in each county as ascertained by the 1960 Federal Census:

The county of Jefferson shall have and elect twelve representatives; the county of Mobile shall have and elect six representatives; the county of Montgomery shall have and elect four representatives; the counties of Madison, Tuscaloosa, Etowah and Calhoun shall each have and elect three representatives; the counties of Talladega, Lauderdale, Morgan, Dallas, Walker, Houston, Lee, Baldwin, Marshall, Colbert, Russell, and Cullman shall each have and elect two representatives; and the remaining counties of the state shall each have and elect one representative.

Section 4. This Act shall become effective upon its passage and approval by the Governor but the members of the Legislature provided for in this Act shall be elected at the general election to be held in November 1966, and every four years thereafter until the Legislature is reapportioned as prescribed by law.

Section 5. In senatorial districts consisting of more than one county the senator shall not be elected for more than one term consecutively from any one county in the district, but shall reside in and be elected alternately and in turn from each of the counties within such district. The first senator to be elected in such districts shall reside in the county having the largest population, except where that county had the last preceding senator.

The motion of Mr. Jones (Covington) to lay on the table the substitute offered by Mr. Smith (Russell) was lost.

Yeas 43; Nays 54.

Yeas:

Messrs.	Dunn	Jones (Covington)	Pruitt
Adams	Ferguson	Jones (Monroe)	Ramey
Avery	Ford	Long (Lauderdale)	Ray
Barnett	Glass	Long (Perry)	Reynolds (Chambers)
Bassett	Gordon	McClendon (Chambers)	Rogers (Macon)
Brannan	Grant	McCorquodale	Salter
Branyon	Hankins	McLendon (Bullock)	Self
Britton	Harris	Martin	Sorrell
Cabiness	Harvey	Nettles	Speaks
Cook	Hearn	Oakley	Taylor
Daniel	Johnson (J. T. Tom)	Powell	Turner

—43

Nays:

Mr. Speaker	Dodd	Hardy	Pierce
Albea	Edwards	Hawkins	Rast
Bailey	Engel	Ingram	Roberts
Bevill	Faulk	Jenkins	Rogers (Mobile)
Bishop	Franklin	Johnston (Leonard)	Sessions
Brewer	Gilchrist	Lee	Shumate
Broadfoot	Gilmer	Locke	Smith (Russell)
Brooks	Goldthwaite	Merrill	Smith (St. Clair)
Camp	Goodwyn	Morrow	Solomon
Casey	Gross	Murphy	Thomas
Cates	Grouby	Nichols	Torbert
Copeland	Guthrie	Oden	Turnham
Cornett	Hain	Perry	Vickers
Dickson	Hanby		

—54

The question was then on the adoption of the substitute offered by Mr. Smith (Russell) for the bill, H. 59, as amended, and said substitute was adopted.

Yeas 57; Nays 43

Yeas:

Mr. Speaker	Dodd	Hardy	Roberts
Adams	Edwards	Hawkins	Rogers (Mobile)
Albea	Engel	Ingram	Sessions
Bailey	Faulk	Johnston (Leonard)	Shumate
Bevill	Franklin	Lee	Smith (Russell)
Bishop	Gilchrist	Locke	Smith (St. Clair)
Brannan	Gilmer	Merrill	Solomon
Brewer	Goldthwaite	Morrow	Steagall
Broadfoot	Goodwyn	Murphy	Sullivan
Callahan	Gross	Nichols	Thomas
Camp	Grouby	Oden	Torbert
Casey	Guthrie	Perry	Turner
Cates	Hain	Pierce	Turnham
Copeland	Hanby	Rast	Vickers
Cornett			

—57

Nays:

Messrs.	Dunn	Jones (Monroe)	Powell
Avery	Glass	Long (Lauderdale)	Pruitt
Barnett	Gordon	Long (Perry)	Ramey
Bassett	Grant	McClendon (Chambers)	Ray
Branyon	Hankins	McCorquodale	Reynolds (Chambers)
Britton	Harris	McLendon (Bullock)	Rogers (Macon)
Brooks	Harvey	Martin	Salter
Cabiness	Hearn	Meade	Self
Cook	Jenkins	Nettles	Sorrell
Daniel	Johnson (J. T. Tom)	Oakley	Speaks
Dickson	Jones (Covington)	Owens	Taylor

—43

Messrs. Torbert, Cook and Turnham offered the following substitute for the bill, H. 59, as amended:

Substitute for HB 59, as amended

A BILL TO BE ENTITLED AN ACT

Amending Code of Alabama 1940, Title 32, Sections 1 and 2, relating to an apportionment of members of the legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 32, Sections 1 and 2, are hereby amended to read as follows:

"Section 1. The house of representatives of the legislature shall consist of 106 members, distributed among the several counties as follows:

Each county shall have and elect one representative; also, DeKalb, Cullman, Russell, Colbert, Marshall, Baldwin, Lee, Houston, Walker, Dallas, Morgan, Lauderdale and Talladega counties shall each have and elect an additional representative; Calhoun, Etowah, Madison, and Tuscaloosa counties shall each have and elect two additional representatives; Montgomery County shall have and elect three additional representatives; Mobile County shall have and elect four additional representatives; and Jefferson County shall have and elect eleven additional representatives.

"Section 2. The senate of the legislature shall consist of 35 members, and the state is divided into 35 senatorial districts, as follows: First, Lauderdale and Limestone; second, Madison; third, DeKalb and Cherokee; fourth, Colbert and Franklin; fifth, Lawrence and Morgan; sixth, Blount and Cullman; seventh, Etowah; eighth, Calhoun; ninth, Clay, Cleburne and Coosa; tenth, Marion and Winston; eleventh, Jackson and Marshall; twelfth, Lamar and Pickens; thirteenth, Jefferson; fourteenth, St. Clair and Talladega; fifteenth, Tuscaloosa; sixteenth, Bibb and Perry; seventeenth, Autauga, Chilton, and Shelby; eighteenth, Elmore and Tallapoosa; nineteenth, Chambers and Randolph; twentieth, Marengo and Sumter; twenty-first, Greene and Hale; twenty-second, Dallas and Lowndes; twenty-third, Montgomery; twenty-fourth, Bullock and Macon; twenty-fifth, Lee and Russell; twenty-sixth, Choctaw, Clark and Washington; twenty-seventh, Butler and Covington; twenty-eighth, Wilcox, Conecuh, and Monroe; twenty-ninth, Coffee and Crenshaw; thirtieth, Barbour and Pike; thirty-first, Geneva and Dale; thirty-second, Henry and Houston; thirty-third, Mobile; thirty-fourth, Baldwin and Escambia; thirty-fifth, Walker and Fayette.

Section 3. This Act shall take effect for the election of representatives at the general election to be held in November 1966, and shall be effective thereafter until the legislature is reapportioned according to law.

Section 4. In senatorial districts consisting of more than one county the senator shall not be elected for more than one term consecutively from any one county in the district, but shall reside in and be elected alternately and in turn from each of the counties within such district. The first senator to be elected in such districts shall reside in the county having the largest population, except where that county had the last preceding senator.

On motion of Mr. Branyon the substitute offered by Messrs. Torbert, Cook and Turnham for the bill, H. 59, as amended, was laid upon the table.

Yeas 51; Nays 50.

Yeas:

Messrs.	Cates	Hardy	Nichols
Albea	Copeland	Harvey	Perry
Bailey	Cornett	Hawkins	Pierce
Bassett	Edwards	Ingram	Rast
Bevill	Engel	Johnson (J. T. Tom)	Reynolds (Chambers)
Bishop	Franklin	Jones (Covington)	Roberts
Branyon	Gilchrist	Lee	Rogers (Mobile)
Brewer	Gilmer	Locke	Sessions
Britton	Goldthwaite	Long (Lauderdale)	Shumate
Broadfoot	Goodwyn	McClendon (Chambers)	Smith (Russell)
Callahan	Guthrie	Merrill	Sorrell
Camp	Hain	Morrow	Thomas
Casey	Hanby	Murphy	Turner

Nays:

Mr. Speaker	Ferguson	Long (Perry)	Ray
Adams	Ford	McCorquodale	Rogers (Macon)
Avery	Glass	McLendon (Bullock)	Salter
Barnett	Gordon	Martin	Self
Brannan	Grant	Meade	Solomon
Brooks	Gross	Nettles	Speaks
Cabiness	Grouby	Oakley	Steagall
Cook	Hankins	Oden	Sullivan
Daniel	Harris	Owens	Taylor
Dickson	Hearn	Powell	Torbert
Dodd	Jenkins	Pruitt	Turnham
Dunn	Johnston (Leonard)	Ramey	Vickers
Faulk	Jones (Monroe)		

—50

Mr. Johnson (J. T. Tom) offered the following substitute for the bill, H. 59, as amended:

A BILL
TO BE ENTITLED
AN ACT

To reapportion the legislature, fix the number of senators and representatives, divide the state into senatorial districts, and apportion the members among the several counties and districts.

Be It Enacted by the Legislature of Alabama:

Section 1. The senate of the legislature shall be composed of 35 senators representing 35 senatorial districts, each district to elect one senator and no more.

Section 2. The state is hereby divided into 35 senatorial districts as follows:

First district, the counties of Wilcox and Lowndes; second district, the county of Etowah; third district, the counties of Marengo and Sumter; fourth district, the counties of Barbour and Pike; fifth district, the counties of Coffee and Dale; sixth district, the counties of Fayette, Lamar and Pickens; seventh district, the counties of Walker and Winston; eighth district, the counties of Cullman, Blount and St. Clair; ninth district, the counties of Colbert, Franklin and Marion; tenth district, the counties of Lauderdale and Limestone; eleventh district, the counties of Lawrence and Morgan; twelfth district, the county of Madison; thirteenth district, the counties of Jackson and Marshall; fourteenth district, the counties of DeKalb and Cherokee; fifteenth district, the county of Calhoun; sixteenth district, the county of Talladega; seventeenth district, the counties of Coosa, Clay and Cleburne; eighteenth district, the county of Jefferson; nineteenth district, the counties of Autauga, Chilton and Shelby; twentieth district, the counties of Bibb and Perry; twenty-first district, the counties of Greene and Hale; twenty-second district, the county of Dallas; twenty-third district, the counties of Elmore and Tallapoosa; twenty-fourth district, the counties of Chambers and Randolph; twenty-fifth district, the counties of Lee and Russell; twenty-sixth district, the counties of Macon and Bullock; twenty-seventh district, the county of Montgomery; twenty-eighth district, the counties of Henry and Houston; twenty-ninth district, the counties of Butler and Crenshaw; thirtieth district, the counties of Choctaw, Clarke and Washing-

ton; thirty-first district, the county of Mobile; thirty-second district, the county of Tuscaloosa; thirty-third district, the counties of Baldwin and Escambia; thirty-fourth district, the counties of Monroe and Conecuh; thirty-fifth district, the counties of Covington and Geneva.

Section 3. The house of representatives of the Legislature shall consist of 106 members distributed among the several counties of the state as follows:

The county of Jefferson shall have and elect ten representatives; the county of Mobile shall have and elect six representatives; the county of Montgomery shall have and elect four representatives; the counties of Morgan, Lauderdale, Tuscaloosa, Madison and Walker shall have and elect three representatives; the counties of Tallapoosa, Jackson, Chambers, Cullman, Russell, Baldwin, Lee, Houston, Dallas, Talladega, Calhoun and Etowah shall each have and elect two representatives; all the remaining counties of the state shall have and elect one representative each.

Section 4. This Act shall take effect for the election of senators and representatives at the general election to be held in November 1966, and shall be effective thereafter until the legislature is reapportioned according to law.

On motion of Mr. Dunn the substitute offered by Mr. Johnson (J. T. Tom) for the bill, H. 59, as amended, was laid upon the table.

Yeas 57; Nays 43.

Yeas:

Mr. Speaker	Edwards	Hardy	Ray
Adams	Engel	Hawkins	Reynolds (Madison)
Albea	Faulk	Hearn	Roberts
Bailey	Gilchrist	Ingram	Rogers (Mobile)
Bevill	Gilmer	Lee	Salter
Bishop	Glass	Locke	Self
Branyon	Goldthwaite	Long (Lauderdale)	Sessions
Brewer	Goodwyn	Merrill	Shumate
Broadfoot	Gordon	Morrow	Smith (Russell)
Camp	Grouby	Murphy	Solomon
Casey	Guthrie	Nichols	Sullivan
Copeland	Hain	Perry	Taylor
Cornett	Hanby	Powell	Thomas
Dodd	Hankins	Rast	Turner
Dunn			

—57

Nays:

Messrs.	Dickson	Jones (Covington)	Owens
Avery	Ferguson	Jones (Monroe)	Pierce
Barnett	Ford	Long (Perry)	Pruitt
Bassett	Franklin	McClendon (Chambers)	Ramey
Brannan	Grant	McCorquodale	Reynolds (Chambers)
Brooks	Gross	McLendon (Bullock)	Smith (St. Clair)
Cabiness	Harris	Martin	Sorrell
Callahan	Harvey	Meade	Speaks
Cates	Jenkins	Nettles	Torbert
Cook	Johnson (J. T. Tom)	Oakley	Turnham
Daniel	Johnston (Leonard)	Oden	Vickers

—43

Mr. Jones (Covington) offered the following amendment to the bill, H. 59, as amended:

Amend substitute for H. B. 59 by striking out Section 3 in its entirety and insert the following:

"Section 3. The 106 members of the House of Representatives shall be apportioned among the several counties of the state as follows:

The county of Jefferson shall have and elect 10 representatives, the county of Mobile 5, and the county of Montgomery 4.

The counties of Madison and Tuscaloosa shall each have and elect 3 representatives.

The counties of Baldwin, Calhoun, Chambers, Colbert, Covington, Cullman, Dallas, DeKalb, Etowah, Houston, Jackson, Lauderdale, Lee, Limestone, Marshall, Morgan, Russell, Talladega, and Walker shall each have and elect 2 representatives.

The counties of Autauga, Barbour, Bibb, Blount, Bullock, Butler, Cherokee, Chilton, Choctaw, Clarke, Clay, Cleburne, Coffee, Conecuh, Coosa, Crenshaw, Dale, Elmore, Escambia, Fayette, Franklin, Geneva, Greene, Hale, Henry, Lamar, Lawrence, Lowndes, Macon, Marengo, Marion, Monroe, Perry, Pickens, Pike, Randolph, St. Clair, Shelby, Sumter, Tallapoosa, Washington, Wilcox, and Winson shall each have and elect 1 representative.

On motion of Mr. Hanby the amendment offered by Mr. Jones (Covington) to the bill, H. 59, as amended, was laid upon the table.

Yeas 57; Nays 41.

Yeas:

Mr. Speaker	Engel	Hawkins	Pierce
Adams	Faulk	Ingram	Rast
Albea	Ferguson	Jenkins	Reynolds (Madison)
Bailey	Ford	Johnson (J. T. Tom)	Roberts
Bassett	Franklin	Johnston (Leonard)	Rogers (Mobile)
Bevill	Gilchrist	Jones (Monroe)	Sessions
Bishop	Gilmer	Lee	Shumate
Brewer	Goldthwaite	Locke	Smith (Russell)
Broadfoot	Goodwyn	Merrill	Solomon
Callahan	Grouby	Morrow	Sorrell
Camp	Guthrie	Murphy	Thomas
Cates	Hain	Nichols	Torbert
Copeland	Hanby	Oden	Turnham
Cornett	Hardy	Perry	Vickers
Edwards			

Nays:

Messrs.	Cabiness	Glass	Harvey
Avery	Cook	Gordon	Jones (Covington)
Brannan	Daniel	Grant	Long (Lauderdale)
Branyon	Dickson	Gross	McClendon (Chambers)
Britton	Dodd	Hankins	McCorquodale
Brooks	Dunn	Harris	McLendon (Bullock)

Martin	Powell	Rogers (Macon)	Speaks
Meade	Pruitt	Salter	Sullivan
Nettles	Ramey	Self	Taylor
Oakley	Ray	Smith (St. Clair)	Turner
Owens	Reynolds (Chambers)		

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Messrs. Taylor, Glass and Jones (Covington) offered the following amendment to the bill, H. 59, as amended:

Amend Substitute for H. B. No. 59 as amended as follows:

In Section 2, District Thirty-two, strike out the word "Lowndes" and insert in lieu thereof the word "Covington".

Also, in Section 2, District Thirty-three, strike out the word "Covington" and insert in lieu thereof the word "Lowndes".

The motion of Mr. Smith (Russell) to lay on the table the amendment offered by Messrs. Taylor, Glass and Jones (Covington) was lost.

Yeas 18; Nays 65.

Yeas:

Mr. Speaker	Cates	Ingram	Owens
Albea	Cornett	Jones (Monroe)	Perry
Bishop	Dickson	Merrill	Smith (Russell)
Brooks	Grouby	Nichols	Turner
Camp	Hanby		

—18

Nays:

Messrs.	Ford	Long (Lauderdale)	Reynolds (Chambers)
Adams	Franklin	Long (Perry)	Reynolds (Madison)
Avery	Gilchrist	McClendon (Chambers)	Roberts
Barnett	Glass	McCorquodale	Rogers (Macon)
Bassett	Goldthwaite	McLendon (Bullock)	Salter
Branyon	Gordon	Martin	Self
Brewer	Grant	Meade	Shumate
Britton	Gross	Murphy	Smith (St. Clair)
Broadfoot	Hankins	Nettles	Solomon
Cabiness	Harris	Oakley	Sorrell
Casey	Harvey	Oden	Speaks
Cook	Hearn	Pierce	Steagall
Copeland	Jenkins	Powell	Sullivan
Daniel	Johnson (J. T. Tom)	Pruitt	Taylor
Dodd	Johnston (Leonard)	Ramey	Thomas
Dunn	Jones (Covington)	Ray	Vickers
Ferguson	Locke		

—65

The question was then on the adoption of the amendment offered by Messrs. Taylor, Glass and Jones (Covington) to the bill, H. 59, as amended, and said amendment was adopted.

Yeas 96; Nays 1.

Yeas:

Mr. Speaker	Dunn	Hearn	Pruitt
Adams	Edwards	Ingram	Ramey
Albea	Engel	Jenkins	Rast
Avery	Faulk	Johnson (J. T. Tom)	Ray
Bailey	Ferguson	Johnston (Leonard)	Reynolds (Chambers)
Barnett	Ford	Jones (Covington)	Reynolds (Madison)
Bassett	Franklin	Lee	Roberts
Bevill	Gilchrist	Locke	Rogers (Macon)
Bishop	Gilmer	Long (Lauderdale)	Rogers (Mobile)
Brannan	Glass	Long (Perry)	Salter
Brewer	Goldthwaite	McClendon (Chambers)	Self
Britton	Goodwyn	McCorquodale	Shumate
Broadfoot	Gordon	McLendon (Bullock)	Smith (Russell)
Brooks	Grant	Martin	Smith (St. Clair)
Cabiness	Gross	Meade	Solomon
Camp	Grouby	Merrill	Sorrell
Casey	Guthrie	Morrow	Speaks
Cates	Hain	Murphy	Steagall
Cook	Hanby	Nettles	Sullivan
Copeland	Hankins	Nichols	Taylor
Cornett	Hardy	Oakley	Thomas
Daniel	Harris	Oden	Torbert
Dickson	Harvey	Pierce	Turner
Dodd	Hawkins	Powell	Vickers

—96

Nay:

Mr. Perry

—1

Mr. Rast offered the following amendment to the bill, H. 59, as amended:

Amendment to H. 59 as amended

In Section 3, strike out the second paragraph and insert in lieu thereof the following:

The county of Jefferson shall have and elect 14 representatives; the county of Mobile shall have and elect 7 representatives; the county of Montgomery shall have and elect four representatives; the counties of Madison, Tuscaloosa, Etowah and Calhoun shall each have and elect three representatives; the counties of Talladega, Lauderdale, Morgan, Dallas, Walker, Houston, Lee, Baldwin, and Marshall shall each have and elect two representatives; and the remaining counties of the state shall each have and elect one representative.

On motion of Mr. Guthrie the amendment offered by Mr. Rast to the bill, H. 59, as amended, was laid upon the table.

Yeas 60; Nays 38.

Yeas:

Mr. Speaker	Bevill	Brewer	Cates
Albea	Bishop	Broadfoot	Cook
Barnett	Brannan	Camp	Copeland
Bassett	Branyon	Casey	Cornett

Dodd	Hardy	Merrill	Self
Faulk	Harvey	Nichols	Shumate
Franklin	Ingram	Oden	Smith (Russell)
Gilchrist	Jenkins	Pierce	Smith (St. Clair)
Gilmer	Johnson (J. T. Tom)	Powell	Solomon
Gordon	Jones (Monroe)	Pruitt	Steagall
Grouby	Lee	Ray	Sullivan
Guthrie	McClendon (Chambers)	Reynolds (Madison)	Thomas
Hain	McCorquodale	Roberts	Torbert
Hanby	McLendon (Bullock)	Rogers (Macon)	Turner
Hankins	Meade	Salter	Vickers

—60

Nays:

Messrs.	Dunn	Hawkins	Oakley
Adams	Edwards	Hearn	Owens
Avery	Engel	Johnston (Leonard)	Perry
Bailey	Ferguson	Jones (Covington)	Ramey
Britton	Ford	Locke	Rast
Brooks	Goldthwaite	Long (Perry)	Reynolds (Chambers)
Cabiness	Goodwyn	Martin	Rogers (Mobile)
Callahan	Grant	Morrow	Sessions
Daniel	Gross	Murphy	Speaks
Dickson	Harris	Nettles	

—38

Mr. Rogers (Mobile) offered the following amendment to the bill, H. 59, as amended:

Amend H. B. 59 by deleting from Section 4 of the bill the figures "1966" and inserting in lieu thereof the figures "1962".

On motion of Mr. Smith (Russell) the amendment offered by Mr. Rogers (Mobile) was laid upon the table.

Yeas 67; Nays 29.

Yeas:

Mr. Speaker	Dunn	Jenkins	Powell
Albea	Faulk	Johnson (J. T. Tom)	Pruitt
Bailey	Ford	Johnston (Leonard)	Ramey
Barnett	Franklin	Jones (Monroe)	Reynolds (Chambers)
Bassett	Gilchrist	Lee	Reynolds (Madison)
Bevill	Gilmer	Long (Perry)	Roberts
Brannan	Glass	McClendon (Chambers)	Shumate
Branyon	Goldthwaite	McCorquodale	Smith (Russell)
Brewer	Goodwyn	McLendon (Bullock)	Smith (St. Clair)
Britton	Gross	Martin	Solomon
Camp	Grouby	Meade	Sorrell
Casey	Guthrie	Merrill	Sullivan
Cates	Hain	Nettles	Thomas
Cornett	Hankins	Nichols	Torbert
Daniel	Hardy	Oakley	Turner
Dickson	Harvey	Owens	Vickers
Dodd	Ingram	Pierce	

—67

Nays:

Messrs.	Edwards	Jones (Covington)	Ray
Avery	Engel	Locke	Rogers (Mobile)
Bishop	Ferguson	Morrow	Salter
Broadfoot	Gordon	Murphy	Self
Brooks	Hanby	Oden	Sessions
Cabiness	Harris	Perry	Speaks
Callahan	Hawkins	Rast	Steagall
Copeland	Hearn		

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CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:05 P. M. On June 21, 1962

H. J. R. 13

H. J. R. 15

H. J. R. 16

OAKLEY MELTON, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Reynolds (Chambers) the House adjourned until Friday, June 22, 1962, at ten o'clock A. M.

Yeas 49; Nays 47.

Yeas:

Messrs.	Engel	Jones (Covington)	Rast
Avery	Ferguson	Locke	Ray
Barnett	Gordon	Long (Perry)	Reynolds (Chambers)
Britton	Grant	McCorquodale	Rogers (Macon)
Brooks	Gross	Martin	Rogers (Mobile)
Cabiness	Harris	Meade	Salter
Callahan	Harvey	Morrow	Self
Cook	Hawkins	Oakley	Sessions
Daniel	Hearn	Oden	Smith (St. Clair)
Dickson	Ingram	Owens	Speaks
Dodd	Jenkins	Perry	Steagall
Dunn	Johnson (J. T. Tom)	Ramey	Sullivan
Edwards	Johnston (Leonard)		

—49

Nays:

Mr. Speaker	Bailey	Bishop	Broadfoot
Adams	Bassett	Branyon	Camp
Albea	Bevill	Brewer	Casey

Cates	Goldthwaite	Lee	Roberts
Copeland	Goodwyn	McLendon (Bullock)	Shumate
Cornett	Grouby	Merrill	Smith (Russell)
Faulk	Guthrie	Murphy	Solomon
Ford	Hain	Nettles	Sorrell
Franklin	Hanby	Nichols	Thomas
Gilchrist	Hankins	Pierce	Torbert
Gilmer	Hardy	Powell	Turner
Glass	Jones (Monroe)	Reynolds (Madison)	

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SIXTH DAY

House of Representatives
Montgomery, Alabama
Friday, June 22, 1962

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. George E. Bagley, Assistant to Executive Secretary of Alabama Baptist State Executive Board, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Dodd	Ingram	Pruitt
Adams	Dunn	Jenkins	Ramey
Albea	Edwards	Johnson (Hardaway)	Rast
Avery	Engel	Johnston (Leonard)	Ray
Bailey	Faulk	Jones (Covington)	Reynolds (Chambers)
Barnett	Ferguson	Jones (Monroe)	Reynolds (Madison)
Bassett	Ford	Lee	Roberts
Bevill	Franklin	Locke	Rogers (Macon)
Bishop	Gilchrist	Long (Lauderdale)	Rogers (Mobile)
Brannan	Gilmer	Long (Perry)	Salter
Branyon	Glass	McClendon (Chambers)	Self
Brewer	Goldthwaite	McCorquodale	Sessions
Britton	Goodwyn	McLendon (Bullock)	Shumate
Broadfoot	Gordon	Martin	Smith (Russell)
Brooks	Grant	Meade	Smith (St. Clair)
Cabiness	Gross	Merrill	Solomon
Callahan	Grouby	Morrow	Sorrell
Camp	Guthrie	Murphy	Speaks
Casey	Hain	Nettles	Steagall
Cates	Hanby	Nichols	Sullivan
Chambers	Hankins	Oakley	Taylor
Cook	Hardy	Oden	Thomas
Copeland	Harris	Owens	Torbert
Cornett	Harvey	Perry	Turner
Daniel	Hawkins	Pierce	Turnham
Dickson	Hearn	Powell	Vickers

A quorum was present.

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LEAVE OF ABSENCE

On motion of Mr. Jones (Monroe) leave of absence was granted to Mr. Rozelle because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Fifth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the Fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Fifth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 5. To make an additional appropriation for payment of expenses of the Legislature.

J. E. SPEIGHT,
Secretary,

SENATE MESSAGE

On motion of Mr. Pruitt the House concurred in and adopted the Senate amendment to the bill, H. 5, said Senate amendment being as follows:

Amend House Bill 5 by deleting in Section 1, line 2 the following:

“, or so much thereof as may be necessary,”

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Britton	Edwards	Hanby
Adams	Broadfoot	Faulk	Hankins
Albea	Cabiness	Ford	Hardy
Avery	Camp	Franklin	Harris
Bailey	Cates	Gilchrist	Harvey
Barnett	Chambers	Gilmer	Hearn
Bassett	Cook	Glass	Jenkins
Bevill	Copeland	Goldthwaite	Johnson (Hardaway)
Bishop	Cornett	Gordon	Jones (Covington)
Brannan	Daniel	Grant	Lee
Branyon	Dodd	Guthrie	Long (Perry)
Brewer	Dunn	Hain	McClendon (Chambers)

McCorquodale	Nichols	Reynolds (Chambers)	Steagall
McLendon (Bullock)	Oakley	Rogers (Macon)	Taylor
Martin	Perry	Rogers (Mobile)	Thomas
Meade	Pierce	Self	Torbert
Merrill	Powell	Solomon	Turner
Murphy	Ramey	Sorrell	Turnham
Nettles	Ray		

—74

And said bill, H. 5, as amended by the Senate amendment, was again read at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harvey	Perry
Adams	Dickson	Hawkins	Pierce
Albea	Dodd	Hearn	Powell
Avery	Dunn	Jenkins	Ramey
Bailey	Edwards	Johnson (Hardaway)	Ray
Barnett	Faulk	Jones (Covington)	Reynolds (Chambers)
Bassett	Ford	Lee	Roberts
Bishop	Franklin	Locke	Rogers (Macon)
Brannan	Gilchrist	Long (Lauderdale)	Rogers (Mobile)
Branyon	Gilmer	Long (Perry)	Self
Brewer	Glass	McClendon (Chambers)	Sessions
Britton	Goldthwaite	McCorquodale	Smith (Russell)
Broadfoot	Gordon	McLendon (Bullock)	Solomon
Brooks	Grant	Martin	Sorrell
Cabiness	Guthrie	Meade	Steagall
Camp	Hain	Merrill	Taylor
Cates	Hanby	Murphy	Thomas
Chambers	Hankins	Nettles	Torbert
Cook	Hardy	Nichols	Turner
Copeland	Harris	Oakley	Turnham
Cornett			

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 5. To make an additional appropriation for payment of expenses of the Legislature.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed

the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 4. To provide further for election of the chairman and members of the board of education of Autauga County.

Also:

H. 6. To make an appropriation from the county treasury of Calhoun County for the relief of M. S. Nelson.

Also:

H. 7. To authorize the City of Anniston, Alabama, to sell to Alabama Society for Crippled Children & Adults, a corporation, for its reasonable market value the following described real property, to-wit:

Beginning at the northeast corner of the intersection of Walnut Avenue with Thirteenth Street in the City of Anniston, Alabama; thence north along the east boundary line of Walnut Avenue a distance of 100 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street a distance of 50 feet to a point; thence south and parallel with the east boundary line of Walnut Avenue a distance of 40 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street, to a point on the west boundary line of Moore Avenue; thence south along the west boundary line of Moore Avenue a distance of 60 feet to its point of intersection with the north boundary line of Thirteenth Street; thence west along the north boundary line of Thirteenth Street a distance of 150 feet to the point of beginning, said property being situated in the City of Anniston, Calhoun County, Alabama.

Also:

H. 8. To establish an inferior court to be called the Intermediate Civil Court of Calhoun County, Alabama; to provide for the judge, clerks and other officers, their selection and duties; to provide for the jurisdiction, practice and procedure of said court; to provide for the transfer of causes from said court to the circuit court; and to provide for appeals from said court and regulate the manner of taking same.

Also:

H. 18. To regulate further the feeding of prisoners in jail in all counties having populations of not less than 96,000 nor more than 106,000, according to last or any subsequent federal decennial census; to provide for retroactive effect of the provisions of this Act, and to validate the payment to the sheriffs of such counties certain allowances which may have heretofore been made to them for the feeding of prisoners in county jails, and for preparing and serving such food.

Also:

H. 47. Relating to counties having populations of not less than 150,-

000 nor more than 300,000 inhabitants: To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

Also:

H. 48. Relating to cities having populations of not less than 100,000 nor more than 200,000 inhabitants: To provide for the payment of benefits to employees of any such city who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such city who are killed in the performance of their official duties.

Also:

H. 49. To repeal Act No. 627 of the 1961 Regular Session of the Legislature of Alabama proposing an amendment to the Constitution of Alabama relative to the levying of additional taxes for school purposes within Montgomery County.

Also:

H. 54. To authorize the appointment of additional deputies sheriff in counties having populations of not less than 32,000 nor more than 33,000 inhabitants; to provide for their compensation; to provide for retroactive effect of the provisions of this act; to validate the appointment of deputies sheriff which may have been heretofore made, the payment to them of compensation, and the acts of such appointees which may have been required in performance of their official duties.

Also:

H. 62. Relating to counties having populations of not less than 54,000 nor more than 56,000; authorizing an appropriation from county funds for certain purposes.

Also:

H. 64. To fix the time of holding meetings of the court of county commissioners, board of revenue, or other like governing body in all counties having a population of not less than 51,000 nor more than 56,000 inhabitants, and to repeal Act 139, H. 337, approved August 1, 1961 (Acts of Alabama 1961, vol. I, p. 177) and all conflicting laws.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 4. To provide further for election of the chairman and members of the board of education of Autauga County.

Also:

H. 6. To make an appropriation from the county treasury of Calhoun County for the relief of M. S. Nelson.

Also:

H. 7. To authorize the City of Anniston, Alabama, to sell to Alabama Society for Crippled Children & Adults, a corporation, for its reasonable market value the following described real property, to-wit:

Beginning at the northeast corner of the intersection of Walnut Avenue with Thirteenth Street in the City of Anniston, Alabama; thence north along the east boundary line of Walnut Avenue a distance of 100 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street a distance of 50 feet to a point; thence south and parallel with the east boundary line of Walnut Avenue a distance of 40 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street, to a point on the west boundary line of Moore Avenue; thence south along the west boundary line of Moore Avenue a distance of 60 feet to its point of intersection with the north boundary line of Thirteenth Street; thence west along the north boundary line of Thirteenth Street a distance of 150 feet to the point of beginning, said property being situated in the City of Anniston, Calhoun County, Alabama.

Also:

H. 8. To establish an inferior court to be called the ~~Intermediate~~ Civil Court of Calhoun County, Alabama; to provide for the judge, clerks and other officers, their selection and duties; to provide for the jurisdiction, practice and procedure of said court; to provide for the transfer of causes from said court to the circuit court; and to provide for appeals from said court and regulate the manner of taking same.

Also:

H. 18. To regulate further the feeding of prisoners in jail in all counties having populations of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census; to provide for retroactive effect of the provisions of this Act, and to validate the payment to the sheriffs of such counties certain allowances which may have heretofore been made to them for the feeding of prisoners in county jails, and for preparing and serving such food.

Also:

H. 47. Relating to counties having populations of not less than 150,000 nor more than 300,000 inhabitants: To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

Also:

H. 48. Relating to cities having populations of not less than 100,000 nor more than 200,000 inhabitants: To provide for the payment of benefits

to employees of any such city who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such city who are killed in the performance of their official duties.

Also:

H. 49. To repeal Act No. 627 of the 1961 Regular Session of the Legislature of Alabama proposing an amendment to the Constitution of Alabama relative to the levying of additional taxes for school purposes within Montgomery County.

Also:

H. 54. To authorize the appointment of additional deputies sheriff in counties having populations of not less than 32,000 nor more than 33,000 inhabitants; to provide for their compensation; to provide for retroactive effect of the provisions of this act; to validate the appointment of deputies sheriff which may have been heretofore made, the payment to them of compensation, and the acts of such appointees which may have been required in performance of their official duties.

Also:

H. 62. Relating to counties having populations of not less than 54,000 nor more than 56,000; authorizing an appropriation from county funds for certain purposes.

Also:

H. 64. To fix the time of holding meetings of the court of county commissioners, board of revenue, or other like governing body in all counties having a population of not less than 51,000 nor more than 56,000 inhabitants, and to repeal Act 139, H. 337, approved August 1, 1961 (Acts of Alabama 1961, vol. 1, p. 177) and all conflicting laws.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment.

By Mr. Wyatt:

S. 42. Relating to the office of solicitor of the Thirtieth Judicial Circuit; creating a solicitor's fund for the use of the circuit solicitor.

Also:

By Messrs. Turner, Webb, Porter, Farmer, Crawford, Jones, Graham, Barnett, Moses, Hines, Samford, Golson, Rutledge, Andrews, Cooper, Wyatt, Clark, Wilson, Kendall, Berryman and Givhan:

S. 44. Proposing to amend Constitution of Alabama 1901 in relation to the distribution of certain state revenues and the right of exemptions or refunds.

Also:

By Messrs. Turner, Webb, Graham, Barnett and Kendall:

S. 45. Proposing an amendment to the Constitution of Alabama relative to the distribution of certain state funds among the several counties.

Also:

By Mr. Robison:

S. 36. Relating to counties having populations of not less than 140,000 nor more than 250,000; to provide the procedure for initiating complaints under Act No. 295, Special Session, 1961, approved September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940.

Also:

By Mr. deGraffenried:

S. 37. To fix the Salary of Deputy Circuit Solicitor No. 2 of the Sixth Judicial Circuit of Alabama.

Also:

By Mr. deGraffenried:

S. 38. Relating to inferior courts in counties having a population of not less than one hundred thousand nor more than one hundred fifteen thousand inhabitants; increasing the jurisdiction of such inferior courts of such counties from \$300 to \$500 in civil cases and providing additional compensation for the judge of such courts beginning with his next term of office in January, 1963.

Also:

By Mr. Haltom:

S. 40. To define, regulate, and license barbers, barber colleges, and other like businesses in any and all counties having a population of not less than 61,000 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census, to create a barbers' commission for each county to which the Act applies; to fix the powers and duties of the

commission; to transfer to the commission all rights, powers, duties and authority, together with all funds, property, books, papers, records and effects belonging to, and all obligations incurred by, each barbers' commission heretofore created or existing in each county to which this Act applies; and to prescribe penalties for violating the provisions of this Act.

Also:

By Mr. Wyatt:

S. 43. Relating to counties having populations of not less than 24,800 nor more than 25,400; providing clerical assistance for certain officers of such counties.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, S. 42, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to the Standing Committee on Local Legislation No. 1.

The Senate Bill, S. 44, the title to which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution.

Mr. Casey moved that the bill, S. 44, being a proposed Constitutional amendment, not be referred to a Standing Committee, and that it remain on the Clerk's desk for three legislative days and be read on such three legislative days.

The motion of Mr. Torbert to lay on the table the motion of Mr. Casey was lost.

Yeas 34; Nays 67.

Yeas:

Messrs.	Copeland	Hanby	Pruitt
Albea	Cornett	Hawkins	Rast
Bailey	Edwards	Hearn	Reynolds (Madison)
Bevill	Engel	Locke	Roberts
Bishop	Ferguson	Merrill	Rogers (Mobile)
Brannan	Gilchrist	Morrow	Sessions
Brewer	Goldthwaite	Murphy	Torbert
Broadfoot	Goodwyn	Perry	Turnham
Callahan	Hain	Pierce	

—34

Nays:

Mr. Speaker	Brooks	Daniel	Gilmer
Adams	Cabiness	Dickson	Glass
Avery	Camp	Dodd	Gordon
Barnett	Casey	Dunn	Grant
Bassett	Cates	Faulk	Gross
Branyon	Chambers	Ford	Grouby
Britton	Cook	Franklin	Hankins

Hardy	Long (Perry)	Owens	Solomon
Harvey	McClendon (Chambers)	Powell	Sorrell
Ingram	McCorquodale	Ramey	Speaks
Jenkins	McLendon (Bullock)	Ray	Steagall
Johnson (Hardaway)	Martin	Reynolds (Chambers)	Sullivan
Johnston (Leonard)	Meade	Rogers (Macon)	Taylor
Jones (Covington)	Nettles	Salter	Thomas
Jones (Monroe)	Nichols	Self	Turner
Lee	Oakley	Shumate	Vickers
Long (Lauderdale)	Oden	Smith (Russell)	

—67

The question was then on the motion of Mr. Casey that the bill, S. 44, being a proposed Constitutional amendment, not be referred to a Standing Committee, and that it remain on the Clerk's desk for three legislative days and be read on such three legislative days, and said motion was adopted.

Yeas 69; Nays 30.

Yeas:

Mr. Speaker	Dunn	Jones (Covington)	Ramey
Adams	Faulk	Jones (Monroe)	Ray
Avery	Ford	Lee	Reynolds (Chambers)
Barnett	Franklin	Long (Perry)	Rogers (Macon)
Bassett	Gilmer	McClendon (Chambers)	Salter
Bishop	Glass	McCorquodale	Self
Branyon	Gordon	McLendon (Bullock)	Shumate
Britton	Grant	Martin	Smith (Russell)
Brooks	Gross	Meade	Solomon
Cabiness	Grouby	Merrill	Sorrell
Camp	Hankins	Nettles	Speaks
Casey	Hardy	Nichols	Steagall
Cates	Harvey	Oakley	Sullivan
Chambers	Ingram	Oden	Taylor
Cook	Jenkins	Owens	Thomas
Daniel	Johnson (Hardaway)	Powell	Turner
Dickson	Johnston (Leonard)	Pruitt	Vickers
Dodd			

—69

Nays:

Messrs.	Copeland	Hanby	Rast
Albea	Cornett	Hawkins	Reynolds (Madison)
Bailey	Edwards	Hearn	Roberts
Bevill	Engel	Locke	Rogers (Mobile)
Brannan	Ferguson	Morrow	Sessions
Brewer	Gilchrist	Murphy	Torbert
Broadfoot	Goldthwaite	Perry	Turnham
Callahan	Goodwyn	Pierce	

—30

The Senate Bill, S. 45, the title to which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution.

The motion of Mr. Casey that the bill, S. 45, being a proposed Constitutional amendment, not be referred to a Standing Committee, and that it remain on the Clerk's desk for three legislative days and be read on such three legislative days, was adopted.

Yeas 72; Nays 26.

Yeas:

Mr. Speaker	Dodd	Jones (Monroe)	Reynolds (Chambers)
Adams	Dunn	Lee	Rogers (Macon)
Avery	Faulk	Long (Perry)	Salter
Barnett	Ford	McClendon (Chambers)	Self
Bassett	Gilmer	McCorquodale	Shumate
Bishop	Glass	McLendon (Bullock)	Smith (Russell)
Branyon	Gordon	Martin	Smith (St. Clair)
Britton	Grant	Meade	Solomon
Brooks	Gross	Merrill	Sorrell
Cabiness	Grouby	Nettles	Speaks
Camp	Hankins	Nichols	Steagall
Casey	Harris	Oakley	Sullivan
Cates	Harvey	Oden	Taylor
Chambers	Ingram	Owens	Thomas
Cook	Jenkins	Powell	Torbert
Cornett	Johnson (Hardaway)	Pruitt	Turner
Daniel	Johnston (Leonard)	Ramey	Turnham
Dickson	Jones (Covington)	Ray	Vickers

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Nays:

Messrs.	Callahan	Goodwyn	Pierce
Albea	Copeland	Hanby	Rast
Bailey	Edwards	Hawkins	Reynolds (Madison)
Bevill	Engel	Locke	Roberts
Brannan	Ferguson	Morrow	Rogers (Mobile)
Brewer	Gilchrist	Murphy	Sessions
Broadfoot	Goldthwaite	Perry	

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The remaining Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 36. Local Legislation No. 1.

S. 37. Local Legislation No. 1.

S. 38. Local Legislation No. 1.

S. 40. Local Legislation No. 1.

S. 43. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Dumas:

S. 10. To appropriate to the State Department of Public Health for the fiscal year ending September 30th, 1963, the additional sum of seven

thousand five hundred dollars (\$7,500) for administering expanded licensure responsibilities pursuant to Senate Bill 9.

Also:

By Mr. Dumas:

S. 9. To amend Sections 1, 2, and 3 of Act No. 530, Acts of Alabama Regular Session 1949, Page 835, "Relating to public health; to regulate through licensure hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act", so as to include domiciliary institutions, homes for the aged, intermediate institutions, and related institutions.

Also:

By Mr. Eddins (by request):

S. 20. Relating to taxation; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

Also:

By Mr. Caffey:

S. 32. To designate certain areas of Mobile Bay for the taking of seed oysters.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 10. State Administration.

S. 9. State Administration.

S. 20. State Administration.

S. 32. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 17. Relative to the death of Honorable Lemuel Jackson Cobb, a former member of both Houses of the Legislature.

Also:

H. J. R. 18. Naming the new girls' dormitory at Troy State College the "Catherine Collins Gardner Dormitory."

J. E. SPEIGHT,
Secretary.

BILLS ON SECOND READING
MOTION IN WRITING RELATIVE TO
SENATE BILL 29 BY MR. PRUITT

Mr. Speaker:

I move that the bill, Senate Bill 29, proposing an amendment to the Constitution of Alabama, which was read one time and referred to the Standing Committee on Judiciary be recalled from the Judiciary Committee and that the Clerk be directed to give said bill its second reading.

POINTS OF ORDER

Mr. Brewer raised a point of order that a Motion in Writing recalling from a committee a bill which proposes an amendment to the Constitution must be filed one day prior to the recall of such bill.

Mr. Torbert raised a point of order that once a bill had been referred to a committee that the rules of the House must be suspended before the House could recall such bill from the committee without following the procedure set out in the Rules of the House.

The Speaker ruled that the Motion in Writing by Mr. Pruitt was in order.

MOTION TO RECESS LOST

Mr. Cabiness moved that the House recess for fifteen minutes in order to allow the Standing Committee on Judiciary to meet and consider the bill, S. 29.

The substitute motion of Mr. Perry that the House adjourn until Tuesday, June 26, 1962, at twelve o'clock, noon, was lost.

Yeas 19; Nays 81.

Yeas:

Messrs.	Edwards	Hearn	Perry
Albea	Engel	Locke	Rast
Callahan	Franklin	Long (Lauderdale)	Rogers (Mobile)
Cook	Hanby	Morrow	Sessions
Copeland	Hawkins	Murphy	Turnham

—19

Nays:

Mr. Speaker	Avery	Barnett	Bevill
Adams	Bailey	Bassett	Bishop

Brannan	Glass	Lee	Reynolds (Chambers)
Branyon	Goldthwaite	Long (Perry)	Reynolds (Madison)
Brewer	Goodwyn	McClendon (Chambers)	Roberts
Britton	Gordon	McCorquodale	Rogers (Macon)
Brooks	Grant	McLendon (Bullock)	Salter
Cabiness	Gross	Martin	Self
Camp	Grouby	Meade	Shumate
Casey	Guthrie	Merrill	Smith (Russell)
Cates	Hain	Nettles	Smith (St. Clair)
Cornett	Hankins	Nichols	Solomon
Daniel	Hardy	Oakley	Sorrell
Dickson	Harvey	Oden	Speaks
Dodd	Ingram	Owens	Steagall
Dunn	Jenkins	Pierce	Sullivan
Faulk	Johnson (Hardaway)	Powell	Taylor
Ferguson	Johnston (Leonard)	Pruitt	Thomas
Ford	Jones (Covington)	Ramey	Torbert
Gilchrist	Jones (Monroe)	Ray	Vickers
Gilmer			

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The question was then on the motion of Mr. Cabiness that the House recess for fifteen minutes in order to allow the Standing Committee on Judiciary to meet and consider the bill, S. 29, and the motion was lost.

Yeas 34; Nays 64.

Yeas:

Messrs.	Camp	Harris	Pierce
Adams	Copeland	Hawkins	Rast
Albee	Edwards	Locke	Reynolds (Madison)
Bailey	Engel	Long (Lauderdale)	Rogers (Macon)
Bishop	Gilchrist	Merrill	Rogers (Mobile)
Brewer	Goldthwaite	Morrow	Sessions
Broadfoot	Gross	Murphy	Steagall
Cabiness	Hain	Nichols	Turnham
Callahan	Hanby	Perry	

—34

Nays:

Mr. Speaker	Dunn	Ingram	Owens
Avery	Faulk	Jenkins	Powell
Barnett	Ferguson	Johnson (Hardaway)	Pruitt
Bassett	Ford	Johnston (Leonard)	Ramey
Bevill	Franklin	Jones (Covington)	Ray
Brannan	Gilmer	Jones (Monroe)	Reynolds (Chambers)
Branyon	Glass	Lee	Salter
Britton	Goodwyn	Long (Perry)	Self
Brooks	Gordon	McClendon (Chambers)	Shumate
Casey	Grant	McCorquodale	Smith (St. Clair)
Cates	Grouby	McLendon (Bullock)	Solomon
Cook	Guthrie	Martin	Sorrell
Cornett	Hankins	Meade	Sullivan
Daniel	Hardy	Nettles	Taylor
Dickson	Harvey	Oakley	Thomas
Dodd	Hearn	Oden	Vickers

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MOTION IN WRITING ADOPTED

The Motion in Writing offered by Mr. Pruitt that the bill, Senate Bill 29, proposing an amendment to the Constitution of Alabama, which was

read one time and referred to the Standing Committee on Judiciary be recalled from the Judiciary Committee and that the Clerk be directed to give said bill its second reading, was adopted.

Yeas 68; Nays 33.

Yeas:

Mr. Speaker	Dunn	Hearn	Owens
Adams	Faulk	Ingram	Powell
Avery	Ferguson	Jenkins	Pruitt
Barnett	Ford	Johnson (Hardaway)	Ramey
Bassett	Franklin	Johnston (Leonard)	Ray
Bevill	Gilchrist	Jones (Covington)	Reynolds (Chambers)
Brannan	Gilmer	Jones (Monroe)	Rogers (Macon)
Branyon	Glass	Lee	Salter
Britton	Gordon	Long (Perry)	Self
Brooks	Grant	McClendon (Chambers)	Shumate
Cabiness	Gross	McCorquodale	Smith (St. Clair)
Casey	Grouby	McLendon (Bullock)	Sorrell
Cates	Guthrie	Martin	Speaks
Cook	Hankins	Meade	Sullivan
Daniel	Hardy	Nettles	Taylor
Dickson	Harris	Oakley	Thomas
Dodd	Harvey	Oden	Vickers

—68

Nays:

Messrs.	Edwards	Morrow	Rogers (Mobile)
Albea	Engel	Murphy	Sessions
Bailey	Goldthwaite	Nichols	Smith (Russell)
Bishop	Goodwyn	Perry	Solomon
Brewer	Hain	Pierce	Steagall
Broadfoot	Hanby	Rast	Torbert
Callahan	Hawkins	Reynolds (Madison)	Turner
Copeland	Locke	Roberts	Turnham
Cornett	Merrill		

—33

And the bill:

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

Was recalled from the Standing Committee on Judiciary.

And said bill, S. 29, was read a second time at length as required by the Constitution, and placed on the Calendar.

POINT OF ORDER

Mr. Broadfoot raised a point of order that the bill, S. 29, was not read at length on the fifth legislative day.

BILLS ON SECOND READING CONTINUED

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the follow-

ing bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 124. To amend Act No. 833, H. 1498, approved September 8, 1961, which levies a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in counties having populations of not less than 80,000 and not more than 96,000 according to the last or any subsequent federal decennial census, and provides for the collection and enforcement of such tax, so as to provide for the use of tax stamps in the collection of the tax and to authorize and provide for the seizure and confiscation of any malt or brewed beverage hereby taxed on which the tax has not been paid and tax stamps affixed pursuant to this Act by any law enforcement officer of the county, of any municipality in the county, or of the state.

H. 126. Relating to counties having populations of not less than 25,700 nor more than 25,950; to alter, rearrange and extend the corporate limits of certain towns within such counties.

H. 128. To apply only in counties having populations of not less than 21,800 nor more than 21,850 according to the last or any subsequent federal decennial census; to provide for the uniform operation of school terms for all public schools within such counties.

H. 129. To apply only in counties having populations of not less than 21,800 nor more than 21,850; to prescribe qualifications, compensation and duties of members of the county board of education.

H. 131. To validate the incorporation of municipalities attempted to be organized in territory of less than 1,000 inhabitants, in which in any election held for the purpose of incorporation, since June 30, 1961, a majority of the electors participating in said election voted in favor of incorporation, but which election may have been irregular because of failure to comply with requirements as to publication or posting or any other procedures required by law.

H. 132. Providing that in any county having a population of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census, it shall be unlawful for any person to go upon or remain upon the lands, buildings or premises of another or any part, portion, or area thereof after having been forbidden to do so either orally or in writing by the owner, lessee, custodian, or other person in possession thereof, his agent or representative or after having been forbidden to do so by a written legible sign or signs posted on such lands, buildings or premises at a place or places where such sign or signs are visible, and to fix the punishments for a violation of this Act.

H. 133. Providing that in any county having a population of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census, it shall be unlawful for any person to enter, or attempt to enter, any church of which he is not a member while religious services are in progress therein after having been requested not to enter or attempt to enter said church by any member, usher, minister or preacher of said church, or to fail to leave or vacate said church of which he is not a member after such service has begun therein when requested to do so by any member, usher or preacher or minister of said church, and to provide and prescribe punishment for violation of this Act.

H. 134. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 100,000 nor more than 110,000 according to the last or any subsequent federal decennial census.

S. 31. To authorize and provide for the creation of a public corporation in each county of the state which has a population of at least 250,000, but not more than 500,000 according to the last or any subsequent federal decennial census, to provide for, promote and encourage education on a college or university level and cultural and scientific opportunities for the inhabitants of the county; to provide for the selection of the members and board of directors thereof; to authorize and direct such board to become a public corporation; to prescribe the manner of effecting such corporation; to authorize and empower the corporation to enter into agreements with public educational bodies or any governmental agency or body for the purpose of carrying out its functions; to provide for the powers of such corporation, its continuation and dissolution; and to provide for the transfer to any corporation formed hereunder of the rights, powers, duties and assets of certain other public corporations, which are hereby abolished.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Brannan:

H. 135. To appropriate from any funds in the State Treasury to the credit of the General Fund not otherwise appropriated, for the fiscal year ending September 30, 1962, the sum of \$175,000.00 for the purpose of constructing and equipping a recreational building at Gulf State Park and to further provide for such construction.

State Administration.

By Mr. Speaks:

H. 136. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 25,500 nor more than 25,700 according to the last or any subsequent federal decennial census.

Local Legislation No. 1.

By Mr. Martin (with notice and proof):

H. 137. To amend Act No. 294, H. 707, Regular Session 1959 (Acts 1959, vol. 1, p. 863), an act levying county sales and use taxes for public school purposes in Greene County, so as to provide an exemption from such taxes to any person, firm, or corporation establishing a manufacturing, compounding, processing or other industrial plant, mine or quarry within the county.

Local Legislation No.1.

Notice and Proof H. 137:

LEGAL NOTICE

TO WHOM IT MAY CONCERN:

Notice is hereby given in accordance with Section 106 of the Constitution that a local law relating to Greene County will be introduced in the

Legislature of Alabama and application for its enactment will be made at the next session. The substance of such law will be as follows:

To amend Act No. 294, H. 707, Regular Session 1959 (Acts 1959, vol. 1, p. 863), an act levying county sales and use taxes for public school purposes in Greene County, so as to provide exemptions from the provisions of this act and from the computation of the amounts of the taxes levied, assessed or payable under this act in favor of (a) the gross proceeds of sales and (b) the storage, use or other consumption of all construction materials, machinery and equipment, whether self-propelled, automotive or otherwise, and all parts, attachments and replacements for buildings, other structures, machinery and equipment, and all repair materials, and all coal, coke, gas, petroleum and petroleum products, when sold to or stored, used or consumed by any person, firm or corporation as part of, or in connection with, a manufacturing, compounding, processing or other industrial plant, mine or quarry located or to be located in Greene County.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the GREENE COUNTY DEMOCRAT, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 31, June 7, June 14, and June 21, all in the year 1962.

RICHARD K. MARTIN.

Sworn to and subscribed before me June 21, 1962.

CAROLYN S. FISHBURNE,
Title Notary Public.

By Mr. Dodd:

H. 138. To fix a minimum salary for school bus drivers employed by the county superintendent of education or county board of education in any county having a population of not less than 22,500 nor more than 24,550.

Local Legislation No. 1.

By Mr. Smith (Russell):

H. 139. To amend Code of Alabama 1940, Title 13, Section 33, which relates to supernumerary justices of the Supreme Court of Alabama.

State Administration.

By Mr. Bevill:

H. 140. Relating to clerks of the circuit courts in each county having a population of not less than 51,000 nor more than 56,000 inhabitants according to the most recent or any subsequent decennial federal census; providing that such clerks shall be ex officio clerks of the inferior courts in

each county to which this Act applies, and providing that such clerks shall be entitled to a certain fee for each case docketed.

Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolution, your signature thereto is requested:

S. 15. Relating to counties having populations of not less than 15,300 nor more than 15,400 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law; giving the act retroactive effect.

Also:

S. 16. To regulate the compensation of members of the county board of education in counties having populations of not less than 15,300 nor more than 15,400 inhabitants according to the 1960 federal decennial census; giving the Act retroactive effect.

Also:

S. 17. To provide for the employment of a deputy clerk in the office of the clerk of the circuit court in counties of not less than 15,300 nor more than 15,400 population according to the last or any subsequent federal decennial census, and giving the Act retroactive effect.

Also:

S. 18. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than 15,300 nor more than 15,400 according to the 1960 or any subsequent federal decennial census, and giving the act retroactive effect.

Also:

S. 21. Relating to cities having populations of not less than 100,000 nor more than 200,000 inhabitants: To provide for the payment of benefits to employees of any such city who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such city who are killed in the performance of their official duties.

Also:

S. 22. To repeal Act No. 627 of the 1961 Regular Session of the Legislature of Alabama proposing an amendment to the Constitution of Alabama relative to the levying of additional taxes for school purposes within Montgomery County.

Also:

S. 23. Relating to counties having populations of not less than 150,000 nor more than 300,000 inhabitants: To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

Also:

S. 25. To amend Sections 2, 5, and 7 of Act No. 317 adopted at the 1943 Regular Session of the Legislature of Alabama so as to make changes in the provisions thereof respecting the details and sales of securities by Wilcox County.

Also:

S. J. R. 4. Mourning death of Mrs. Mary Samford Wooten and extending sympathy to the family.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolution, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 44. To apply in all counties of the State having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census; providing for the appointment of bailiffs for the Circuit courts in such counties, prescribing their duties and regulating their compensation.

Also:

H. 67. Relating to cities having a population of not less than 200,000 nor more than 300,000, according to the last or any subsequent federal decennial census; providing for the appointment of an administrative assistant by the members of the city commission, council, or like governing body of any such city.

Also:

H. 84. To permit any bank having its principal place of business in Houston County to establish, maintain, and operate, within the corporate

limits or police jurisdiction of any incorporated municipality in which it does business, one or more branches or additional offices or places of business, subject to the approval of the state superintendent of banks.

Also:

H. 92. To authorize and provide for the creation of a public corporation in each county of the state which has a population of at least 250,000, but not more than 500,000 according to the last or any subsequent federal decennial census, to provide for, promote and encourage education on a college or university level and cultural and scientific opportunities for the inhabitants of the county; to provide for the selection of the members and board of directors thereof; to authorize and direct such board to become a public corporation; to prescribe the manner of effecting such corporation; to authorize and empower the corporation to enter into agreements with public educational bodies or any governmental agency or body for the purpose of carrying out its functions; to provide for the powers of such corporation, its continuation and dissolution; and to provide for the transfer to any corporation formed hereunder of the rights, powers, duties and assets of certain other public corporations, which are hereby abolished.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 17. Relative to the death of the Honorable Lemuel Jackson Cobb, former member of both houses of the Legislature of Alabama.

Also:

H. J. R. 18. Relative to naming the new girls' dormitory at Troy State College the "Catherine Collins Gardner Dormitory".

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING

H. 114. Providing and to provide for the taking of depositions in connection with any controversy, suit, case, cause or proceeding pending or to be tried in any court of record in counties in Alabama having a population of not less than 100,000 people nor more than 115,000 people according to the

1960 or any subsequent Federal census of witnesses and parties for discovery or evidence in any controversy, suit, case, proceeding or cause at law or in equity contemplated or provided by Act 375 of Acts of Alabama of 1955, 1955 Acts of Alabama, Page 901, et sequitur, or any amendment thereof or thereto, or to which the provisions thereof are made applicable by other laws of Alabama, by Commissioners; fixing the power and authority of such Commissioners to take such depositions and conduct hearings therefor and to issue subpoenas and subpoenas duces tecum to witnesses and parties for the purpose of taking such depositions, providing for the compensation of such witnesses and parties and fixing the schedule of fees for such Commissioners for taking and certifying such depositions and providing for the taxing of such fees as costs.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harvey	Powell
Adams	Dickson	Hearn	Rast
Albea	Dodd	Ingram	Ray
Avery	Edwards	Johnson (Hardaway)	Reynolds (Chambers)
Bailey	Engel	Johnston (Leonard)	Rogers (Macon)
Barnett	Faulk	Jones (Monroe)	Rogers (Mobile)
Bassett	Ferguson	Lee	Salter
Bevill	Ford	Locke	Self
Bishop	Franklin	Long (Perry)	Sessions
Brannan	Gilchrist	McClendon (Chambers)	Shumate
Branyon	Gimer	McLendon (Bullock)	Smith (Russell)
Brewer	Glass	Martin	Smith (St. Clair)
Britton	Goldthwaite	Meade	Solomon
Brooks	Goodwyn	Merrill	Sorrell
Cabiness	Gordon	Morrow	Speaks
Callahan	Grant	Nettles	Sullivan
Casey	Gross	Nichols	Taylor
Cates	Grouby	Oakley	Thomas
Chambers	Hain	Owens	Turner
Cook	Hankins	Perry	Turnham
Copeland	Hardy	Pierce	

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And the bill:

H. 122. To extend, alter and rearrange the boundaries of the Town of Mount Vernon, so as to extend the corporate limits thereof.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Bailey	Bishop	Britton
Adams	Barnett	Brannan	Brooks
Albea	Bassett	Branyon	Cabiness
Avery	Bevill	Brewer	Casey

Cates	Grant	Long (Perry)	Ray
Chambers	Gross	McClendon (Chambers)	Reynolds (Chambers)
Copeland	Grouby	McCorquodale	Rogers (Macon)
Daniel	Guthrie	McLendon (Bullock)	Rogers (Mobile)
Dickson	Hain	Martin	Salter
Dodd	Hanby	Meade	Self
Edwards	Hankins	Merrill	Sessions
Engel	Hardy	Morrow	Shumate
Faulk	Hawkins	Murphy	Solomon
Ferguson	Hearn	Nettles	Sorrell
Ford	Ingram	Nichols	Speaks
Franklin	Johnson (Hardaway)	Oakley	Sullivan
Gilmer	Johnston (Leonard)	Owens	Taylor
Glass	Jones (Covington)	Perry	Thomas
Goldthwaite	Jones (Monroe)	Pierce	Turner
Goodwyn	Lee	Powell	Turnham
Gordon	Locke	Rast	Vickers

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And the bill:

H. 123. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 20,500 nor more than 21,850 according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Edwards	Ingram	Pierce
Adams	Engel	Johnson (Hardaway)	Powell
Albea	Faulk	Johnston (Leonard)	Ramey
Avery	Ferguson	Jones (Covington)	Rast
Bailey	Ford	Jones (Monroe)	Ray
Barnett	Franklin	Lee	Reynolds (Chambers)
Bassett	Gilchrist	Locke	Rogers (Macon)
Bevill	Gilmer	Long (Lauderdale)	Rogers (Mobile)
Bishop	Glass	Long (Perry)	Salter
Brannan	Goodwyn	McClendon (Chambers)	Self
Branyon	Gordon	McCorquodale	Sessions
Brewer	Grant	McLendon (Bullock)	Shumate
Britton	Gross	Martin	Smith (St. Clair)
Broadfoot	Grouby	Meade	Solomon
Brooks	Guthrie	Merrill	Sorrell
Cabiness	Hain	Morrow	Speaks
Casey	Hanby	Murphy	Steagall
Cates	Hankins	Nettles	Sullivan
Chambers	Hardy	Nichols	Taylor
Copeland	Harvey	Oakley	Thomas
Daniel	Hawkins	Owens	Turner
Dickson	Hearn	Perry	Vickers
Dodd			

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CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were

delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:40 A.M. On June 22, 1962

H. 5.

Delivered to the Governor at 10:42 A.M. On June 22, 1962

H. 4.

H. 6.

H. 7.

H. 8.

H. 18.

H. 47.

H. 48.

H. 49.

H. 54.

H. 62.

H. 64.

OAKLEY MELTON, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Nettles the House adjourned until Tuesday, June 26, 1962, at twelve o'clock, noon.

Yeas 53; Nays 39.

Yeas:

Messrs.	Engel	Jones (Monroe)	Pruitt
Avery	Ferguson	Locke	Ramey
Barnett	Ford	McClendon (Chambers)	Rast
Brannan	Franklin	McCorquodale	Ray
Branyon	Gilmer	McLendon (Bullock)	Reynolds (Chambers)
Britton	Gordon	Martin	Rogers (Macon)
Brooks	Grant	Meade	Rogers (Mobile)
Cabiness	Hankins	Murphy	Self
Chambers	Harvey	Nettles	Sessions
Cook	Hawkins	Oakley	Smith (St. Clair)
Daniel	Hearn	Owens	Sullivan
Dickson	Johnson (Hardaway)	Perry	Turnham
Dodd	Johnston (Leonard)	Powell	Vickers
Edwards	Jones (Covington)		

Nays:

Mr. Speaker	Camp	Gross	Pierce
Adams	Casey	Grouby	Roberts
Albea	Cates	Guthrie	Shumate
Bailey	Copeland	Hain	Smith (Russell)
Bassett	Cornett	Hanby	Solomon
Bevill	Faulk	Ingram	Sorrell
Bishop	Gilchrist	Lee	Speaks
Brewer	Glass	Long (Perry)	Thomas
Broadfoot	Goldthwaite	Merrill	Torbert
Callahan	Goodwyn	Nichols	

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SEVENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, June 26, 1962

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Lionel Patton, Pastor, Fyffe Baptist Church, Fyffe, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dodd	Ingram	Powell
Adams	Dunn	Jenkins	Pruitt
Albea	Edwards	Johnson (Hardaway)	Ramey
Avery	Engel	Johnson (J. T. Tom)	Rast
Bailey	Faulk	Johnston (Leonard)	Ray
Barnett	Ferguson	Jones (Covington)	Reynolds (Chambers)
Bassett	Ford	Jones (Monroe)	Reynolds (Madison)
Bevill	Franklin	Lee	Roberts
Bishop	Gilchrist	Locke	Rogers (Macon)
Brannan	Gilmer	Long (Lauderdale)	Rogers (Mobile)
Branyon	Glass	Long (Perry)	Salter
Brewer	Goldthwaite	McClendon (Chambers)	Self
Britton	Goodwyn	McCorquodale	Sessions
Broadfoot	Gordon	McLendon (Bullock)	Shumate
Brooks	Grant	Martin	Smith (Russell)
Cabiness	Gross	Meade	Smith (St. Clair)
Callahan	Grouby	Merrill	Solomon
Camp	Guthrie	Morrow	Sorrell
Casey	Hain	Murphy	Speaks
Cates	Hanby	Nettles	Steagall
Chambers	Hankins	Nichols	Sullivan
Cook	Hardy	Oakley	Taylor
Copeland	Harris	Oden	Thomas
Cornett	Harvey	Owens	Torbert
Daniel	Hawkins	Perry	Turnham
Dickson	Hearn	Pierce	Vickers

A quorum was present.

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LEAVE OF ABSENCE

On motion of Mr. Jones (Monroe) leave of absence was granted to Mr. Rozelle because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Sixth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the Sixth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Sixth legislative day was approved.

MOTION IN WRITING

Mr. Gilchrist offered the following Motion in Writing:

MOTION TO RECONSIDER

WHEREAS, Rule 8 of the Rules of the House of Representatives of Alabama requires that "Every bill shall on its first reading, be referred to a standing Committee"; and

WHEREAS, the Rules of the House make no distinction between a Bill proposing an amendment to the Constitution and Bills proposing statutory amendments or enactments but to the contrary require that "every Bill be referred to a standing Committee"; and

WHEREAS, the Rules and past procedure of this House clearly evidence the fact that all Bills, regardless of their provisions, are intended to be governed by the Rules duly adopted by this House in that the Rules are made applicable to "every Bill" and in that the Rules provide for a standing Committee on "Constitutions and Elections" and in that the House has always applied and continues to apply Rules 52, 53, 54, 55, 56 and 57 to all Bills without making any distinction between those Bills providing for amendments to the Constitution and those which do not; and

WHEREAS, the Supreme Court of Alabama, in answer to questions propounded by the Senate of Alabama relating to the validity of Senate Rules requiring a Bill or resolution proposing an amendment to the Constitution to be referred to a Committee, stated in an opinion of the Justices, No. 95, 40 So. 2d 623, 252 Ala. 205: "The provision that each House shall have power to determine the Rules of its proceedings is not restricted to proceedings of the body in ordinary legislative matters; but such authority extends to the determination of the propriety and effect of any action taken by the body as it proceeds in the exercise of any power in the transaction of any business, or in the performance of any duty conferred upon it by the Constitution. This includes authority to determine the Rules of Procedure to be observed in agreeing to propose amendments to the Constitution and embraces the right to require that resolutions or

Bills proposing amendments to the Constitution be referred to a Committee." . . . "Reference to a Committee is not required of a Constitutional amendment but it is not prohibited by the Constitution," . . . "if the proposal is referred to a Committee under the Senate Rules and the Committee does not report it back, the Senate has the power under its procedure to recall it from the Committee for a second reading"; (Emphasis supplied); and

WHEREAS, Senate Bill 29 proposing an amendment to the Constitution was given its first reading in the House on the 5th Legislative day and under the Rules of the House (Rule 8) was referred to the standing Committee on Judiciary, and on the next Legislative day, which was also the next calendar day, this House, without giving the Judiciary Committee an opportunity to so much as read Senate Bill 29, recalled Senate Bill 29 to the House by written motion filed on the 6th Legislative day, and said Senate Bill 29 was given its second reading in this House contemporaneously with the filing of said motion; and

WHEREAS, this House has no power or authority to recall any Bill from a standing Committee except as is provided in the legally constituted and adopted Rules of Procedure of this House; and

WHEREAS, Rule 42 provides the only method without suspending the Rules by which any Bill may be recalled from any standing Committee; and

WHEREAS, no notice was given this House as is required by Rule 42 prior to the recall of Senate Bill 29; and

WHEREAS, Senate Bill 29 is not lawfully and legally before this House; and

WHEREAS, the second reading of said Senate Bill 29 was accomplished through a transgression of the Rules of this House, I therefore move, having voted with the prevailing side, that the vote on the motion of Mr. Pruitt to recall Senate Bill 29 from the Judiciary Committee be now reconsidered.

On motion of Mr. Pruitt the Motion in Writing offered by Mr. Gilchrist was laid upon the table.

Yeas 62; Nays 39.

Yeas:

Mr. Speaker	Ferguson	Johnson (J. T. Tom)	Pruitt
Avery	Ford	Johnston (Leonard)	Ramey
Barnett	Franklin	Jones (Monroe)	Ray
Bassett	Gilmer	Lee	Reynolds (Chambers)
Brannan	Glass	Long (Perry)	Rogers (Macon)
Branyon	Gordon	McClendon (Chambers)	Salter
Britton	Grant	McCorquodale	Self
Brooks	Guthrie	McLendon (Bullock)	Shumate
Casey	Hankins	Martin	Smith (St. Clair)
Cates	Hardy	Meade	Sorrell
Cook	Harris	Nettles	Speaks
Daniel	Harvey	Oakley	Sullivan
Dickson	Hearn	Oden	Taylor
Dodd	Ingram	Owens	Thomas
Dunn	Jenkins	Powell	Vickers
Faulk	Johnson (Hardaway)		

Nays:

Messrs.	Camp	Hanby	Pierce
Adams	Chambers	Hawkins	Rast
Albea	Copeland	Jones (Covington)	Reynolds (Madison)
Bailey	Edwards	Locke	Roberts
Bevill	Engel	Long (Lauderdale)	Rogers (Mobile)
Bishop	Gilchrist	Merrill	Sessions
Brewer	Goldthwaite	Morrow	Solomon
Broadfoot	Goodwyn	Murphy	Steagall
Cabiness	Grouby	Nichols	Torbert
Callahan	Hain	Perry	Turnham

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BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 136. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 25,500 nor more than 25,700 according to the last or any subsequent federal decennial census.

H. 137. To amend Act No. 294, H. 707, Regular Session 1959 (Acts 1959, vol. 1, p. 863), an act levying county sales and use taxes for public school purposes in Greene County, so as to provide an exemption from such taxes to any person, firm, or corporation establishing a manufacturing, compounding, processing or other industrial plant, mine or quarry within the county.

H. 140. Relating to clerks of the circuit courts in each county having a population of not less than 51,000 nor more than 56,000 inhabitants according to the most recent or any subsequent decennial federal census; providing that such clerks shall be ex officio clerks of the inferior courts in each county to which this Act applies, and providing that such clerks shall be entitled to a certain fee for each case docketed.

S. 32. To designate certain areas of Mobile Bay for the taking of seed oysters.

S. 36. Relating to counties having populations of not less than 140,000 nor more than 250,000; to provide the procedure for initiating complaints under Act No. 295, Special Session, 1961, approved September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940.

S. 37. To Fix the Salary of Deputy Circuit Solicitor No. 2 of the Sixth Judicial Circuit of Alabama.

In accordance with the motion of Mr. Casey adopted on the sixth legislative day, the Speaker directed the Clerk to read the bill, S. 44, a second time at length.

And the bill:

S. 44. Proposing to amend Constitution of Alabama 1901 in relation

to the distribution of certain state revenues and the right of exemptions or refunds.

Was read a second time at length as required by the Constitution and placed on the Calendar.

In accordance with the motion of Mr. Casey adopted on the sixth legislative day, the Speaker directed the Clerk to read the bill, S. 45, a second time at length.

And the bill:

S. 45. Proposing an amendment to the Constitution of Alabama relative to the distribution of certain state funds among the several counties.

Was read a second time at length as required by the Constitution and placed on the Calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Bishop (with notice and proof):

H. 141. Relating to Colbert County; fixing the compensation of the chairman of the board of revenue, court of county commissioners, or other like governing body of Colbert County.

Local Legislation No. 1.

Notice and Proof H. 141:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF COLBERT

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Colbert County; fixing the compensation of the chairman of the board of revenue, court of county commissioners, or other like governing body of Colbert County.

Be It Enacted by the Legislature of Alabama:

Section 1. The chairman of the board of revenue, court of county commissioners, or other like governing body of Colbert County shall receive a salary of seven thousand two hundred dollars (\$7,200) per annum, payable in equal monthly installments out of the county treasury in the

manner prescribed by law. Such compensation shall be his full compensation, and shall be in lieu of all other compensation, allowances, per diem, or expenses heretofore provided by law.

Section 2. The provisions of this Act shall become operative only if approved by a majority of the qualified electors of Colbert County, voting in a referendum to be held on the date of the first county-wide primary, general, or special election held after the passage of this Act. The governing body of Colbert County shall order and provide for the holding the referendum on such date. On the ballots to be used at the election, the question shall be stated substantially as follows: "Shall the provisions of Act No. _____ of the 1962 Special Session of the Legislature, which fixes the compensation of the chairman of the governing body of Colbert County be adopted? Yes (☐) No (☐)." If a majority of the votes cast in the election are "Yes," the provisions of this Act shall become effective upon the expiration of the terms of the chairman or other members of the governing body of Colbert County in accordance with the provisions of Amendment 144 of the Constitution of Alabama. If the majority are "No" this Act shall have no effect. The judge of probate of Colbert County shall certify the results of the election to the Secretary of State within 30 days after the returns thereof are canvassed.

STATE OF ALABAMA COLBERT COUNTY

I, W. F. Miller, publisher of Colbert County Reporter, a newspaper of general circulation printed and published in Tuscumbia, Colbert County, Alabama, hereby certify that the attached notice was published in said Colbert County Reporter for four (4) consecutive weeks in the issues of May 31, June 7, June 14 and June 21, 1962.

W. F. MILLER.

Sworn to and subscribed before me this 25th day of June, 1962.

FRANCES DI RAGO,
Notary Public.

By Mr. Steagall:

H. 142. To validate in certain cases elections held in any county in this State, which has a population of less than fifty thousand according to the last federal decennial census, for the purpose of authorizing a special tax for public hospital purposes under the Constitution.

Local Legislation No. 1.

By Mr. Steagall:

H. 143. To validate in certain cases elections heretofore held in counties having populations of less than fifty thousand according to the last federal decennial census or in school districts in any of such counties for the purpose of authorizing a special tax for any school purpose, or for school purposes generally, under the Constitution.

Local Legislation No. 1.

By Mr. Steagall:

H. 144. To validate in certain cases elections heretofore held in counties having populations of less than fifty thousand according to the last

federal decennial census, or in school districts or municipalities in such counties for the purpose of authorizing any special tax under the Constitution.

Local Legislation No. 1.

By Mr. Harris:

H. 145. Relating to counties having populations of not less than 40,000 nor more than 45,000; to provide additional compensation for the chief deputy and all other deputy sheriffs of all such counties.

Local Legislation No. 1.

By Mr. Oden:

H. 146. Proposing an amendment to the Constitution of Alabama relative to the rate of taxation on property in the City of Russellville for public school purposes.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Locke and Perry (with notice and proof):

H. 147. To adjust and fix the salary of the Judge of the Court of Common Claims of Jefferson County, Alabama.

Local Legislation No. 2.

Notice and Proof H. 147:

LEGAL NOTICE

NOTICE; there will be introduced in the legislature of Alabama at its next session whether special or regular, a bill of adjust and fix the salary of the Judge of the Court of Common Claims of Jefferson County.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Sara Wheeler who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of March 31; April 7, 14, 21, 1962, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 23rd day of April, 1962.

ANGIE CAMPISI,
Notary Public.

By Messrs. Sessions, Rast, Perry, Locke, Morrow, Edwards and Hawkins
(with notice and proof):

H. 148. To authorize the Registers of all Circuit Courts, in Counties having a population of 500,000 inhabitants or more, according to the last or any subsequent Federal Census, to destroy all documents, papers and exhibits filed in divorce cases in such Courts after the expiration of 20 years from the filing date of the final decree in such cases, and making the Minute Books and Final Record Books the official Court Record of such destroyed documents; but no authority is given herein to destroy the dockets, docket sheets, Minute Books, Final Record Books or indices in such cases.

Local Legislation No. 2.

Notice and Proof H. 148:

LEGAL (LEGISLATIVE) NOTICE

NOTICE is hereby given of the intention to introduce in the next Session of the Legislature of Alabama for enactment into law the following bill:

A BILL TO BE ENTITLED AN ACT

To authorize the Registers of all Circuit Courts, in Counties having a population of 500,000 inhabitants or more, according to the last or any subsequent Federal Census, to destroy all documents, papers and exhibits filed in divorce cases in such Courts after the expiration of 20 years from the filing date of the final decree in such cases, and making the Minute Books and Final Record Books the official Court Record of such destroyed documents; but no authority is given herein to destroy the dockets, docket sheets, Minute Books, Final Record Books or indices in such cases.

Be It Enacted by the Legislature of Alabama:

1. This Act shall apply only in Counties having a population of 500,000 inhabitants or more, according to the last or any subsequent Federal Census.

2. The Registers of all Circuit Courts in such Counties are authorized to destroy all documents, papers and exhibits filed in divorce cases in such Courts after the expiration of 20 years from the filing date of the final decree in such cases; but no authority is given herein to destroy the docket sheets, Minute Books, Final Record Books, or indices in such cases.

3. The Minute Books and Final Record Books maintained by the Registers shall be considered to be the Official Court Records of documents and papers destroyed under the provisions of this Act, and certified copies made from such books in such cases shall have the same force and effect as though made from the original documents and papers therein.

4. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Sara Wheeler who, being by me first duly

sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of May 12, 19, 26; June 2, 1962, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 4th day of June, 1962.

ANGIE CAMPISI,
Notary Public.

By Messrs. Roberts and Reynolds (Madison) (with notice and proof):

H. 149. To amend further Act No. 658, H. 1030, Regular Session 1959, an act providing for a county privilege license or excise tax on cigarettes in Madison County (Acts 1959, vol. 2, p. 1592).

Local Legislation No. 1.

Notice and Proof H. 149:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 658, H. 1030, Regular Session 1959, an act providing for a county privilege license or excise tax on cigarettes in Madison County (Acts 1959, vol. 2, p. 1592).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act 658, H. 1030, Regular Session 1959, an act providing for a county privilege license or excise tax on cigarettes in Madison County (Act 1959, vol. 2, p. 1592), as amended by Act No. 124, Special Session 1961, is amended further to read as follows:

"Section 4. The revenue collected from the tax hereby levied, less the cost of collection, including any discount allowed on the sale of stamps, shall be distributed as follows: Fifty per cent (50%) thereof shall be paid over to the City of Huntsville; one per cent (1%) thereof shall be paid to the municipality of Madison; one per cent (1%) thereof shall be paid to the municipality of New Hope; one per cent (1%) thereof shall be paid to the municipality of Gurley; the remaining forty-seven per cent (47%) thereof shall be paid to the board of education of Madison County to be used for public school purposes."

Section 2. This Act shall take effect on the first day of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1962.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me June 20, 1962.

OPAL H. DILWORTH,
Title Notary Public.

By Mr. Hearn:

H. 150. To create the office of deputy solicitor for all counties having two court houses at which any of the business of the circuit court or other court of record therein is regularly transacted from time to time and having a population of not less than 31,000 nor more than 75,000, according to the last or any subsequent federal decennial census; to fix the salary, provide for the appointment and removal, and define the powers and duties of such deputy solicitors; and to repeal all general and local laws in conflict herewith.

Local Legislation No. 1.

By Mr. Sullivan:

H. 151. To fix the compensation of the county solicitor of any county having a population of not less than 21,800 nor more than 21,950 according to the 1960 or any subsequent federal decennial census.

Local Legislation No. 1.

By Messrs. Bassett and Sorrell (with notice and proof):

H. 152. To alter or rearrange the boundary lines of the City of Troy, Pike County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Pike County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 152:

NOTICE is hereby given that application will be made at the next special session of the Legislature of Alabama for the passage and enactment of a bill substantially as follows, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter or rearrange the boundary lines of the City of Troy, Pike County, Alabama, so as to include within the corporate limits of the City all territory now within such corporate limits and also certain other territory contiguous thereto, in Pike County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Troy, Pike County, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Troy, Alabama and in addition thereto the following described territory, to-wit:

West half of Section 5, Township 9 North, Range 21 East.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PIKE

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. F. Boisclair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Troy Messenger, a newspaper of general circulation published in Pike County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 25, all in the year 1962.

M. F. BOISCLAIR.

Sworn to and subscribed before me June 26, 1962.

LOUISE M. EMERSON,
Title Notary Public.

By Messrs. Oakley and Nettles:

H. 153. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 18,000 nor more than 19,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Local Legislation No. 1.

RESOLUTION

The following resolution was introduced:

By Mr. Pruitt:

H. J. R. 19. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses

adjourn today, they adjourn to meet again on Wednesday, June 27, 1962, and when they adjourn on Wednesday, they adjourn to meet again on Thursday, June 28, 1962, and when they adjourn on Thursday, they adjourn to meet again on Friday, June 29, 1962.

On motion of Mr. Pruitt the rules were suspended and H. J. R. 19 was adopted.

Yeas 87; Nays 12.

Yeas:

Mr. Speaker	Dunn	Jenkins	Powell
Adams	Edwards	Johnson (Hardaway)	Pruitt
Albea	Faulk	Johnson (J. T. Tom)	Ramey
Avery	Ford	Johnston (Leonard)	Rast
Bailey	Gilchrist	Jones (Covington)	Ray
Barnett	Gilmer	Jones (Monroe)	Reynolds (Chambers)
Bassett	Glass	Lee	Reynolds (Madison)
Bevill	Goldthwaite	Long (Perry)	Roberts
Bishop	Goodwyn	McClendon (Chambers)	Rogers (Mobile)
Brannan	Gordon	McCorquodale	Salter
Branyon	Grant	McLendon (Bullock)	Sessions
Brewer	Grouby	Martin	Smith (Russell)
Brooks	Guthrie	Meade	Solomon
Cabiness	Hain	Merrill	Speaks
Callahan	Hanby	Morrow	Steagall
Camp	Hankins	Nettles	Sullivan
Casey	Hardy	Nichols	Taylor
Cates	Harris	Oakley	Thomas
Chambers	Harvey	Oden	Torbert
Cornett	Hawkins	Owens	Turnham
Daniel	Hearn	Perry	Vickers
Dickson	Ingram	Pierce	

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Nays:

Messrs.	Copeland	Locke	Self
Britton	Dodd	Long (Lauderdale)	Shumate
Broadfoot	Ferguson	Murphy	Sorrell
Cook			

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BILLS ON THIRD READING H. 31 POSTPONED

On motion of Mr. Sessions, consideration of the bill, H. 31, was postponed until the next legislative day.

And the bill:

H. 75. To provide that in any city of the State having a population of 600,000 or more according to the last or any subsequent federal census it shall be unlawful for any member of the governing body, or officer or employee of the city to be directly or indirectly interested in any work, business or contract, the expense, price or consideration of which is paid from the treasury of the city; to provide that in any such city no member of any committee, board or board of managers, trustees or directors containing one or more members appointed by the governing body of the city,

or one or more members whose appointment is subject to the approval of the said governing body, or any officer or employee of the city who is an ex officio member of the said committee or board, shall be directly or indirectly interested in any work, business or contract, the expense, price or consideration of which is paid from the funds over which such committee or board has jurisdiction or which such committee or board administers, and to provide that no member of any such committee or board shall be directly or indirectly interested in furnishing any work, materials, supplies, services or anything which is the subject of a contract made by the committee or board; to provide that membership on any such committee or board shall not result in it being unlawful for a member of the committee or board to be interested in any work for, or business or contract with, any such city, provided the said committee or board does not authorize the said work, business or contract; to provide that it shall be unlawful for any member of the governing body or any officer of any such city to be surety for any person having a contract, work or business with the city for the performance of which a surety may be required; to provide that it shall be unlawful for a member of any such committee or board to be a surety for any person having a contract, work or business with the committee or board for the performance of which a surety may be required; to provide that membership on any such committee or board shall not result in it being unlawful for a member of such committee or board to be a surety for persons having a contract, work or business with the city for the performance of which a surety may be required provided the committee or board does not authorize the said contract, work or business; and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Was taken up.

Mr. Perry offered the following amendment to the bill, H. 75:

Amend the caption of House Bill No. 75 as follows:

Strike the figures and words "600,000 or more" where the same appear together in the caption of said House Bill No. 75 and substitute in lieu thereof the figures and words "300,000 or more" and substitute for the period at the end of said caption a semicolon and add the following words: "and prescribing penalties for the violation of this act."

And the amendment was adopted.

Yeas 90; Nays 1.

Yeas:

Mr. Speaker	Casey	Gilmer	Johnston (Leonard)
Adams	Cates	Goldthwaite	Jones (Govington)
Albea	Chambers	Goodwyn	Jones (Monroe)
Avery	Cook	Gordon	Lee
Bailey	Copeland	Grant	Long (Lauderdale)
Barnett	Cornett	Grouby	McClendon (Chambers)
Bassett	Daniel	Hain	McCorquodale
Bevill	Dickson	Hanby	McLendon (Bullock)
Bishop	Dodd	Hankins	Martin
Brannan	Dunn	Hardy	Meade
Branyon	Edwards	Hawkins	Merrill
Brewer	Engel	Hearn	Morrow
Britton	Ferguson	Ingram	Murphy
Brooks	Ford	Johnson (Hardaway)	Nettles
Camp	Franklin	Johnson (J. T. Tom)	Nichols

Oakley	Ray	Sessions	Steagall
Oden	Reynolds (Chambers)	Shumate	Sullivan
Owens	Reynolds (Madison)	Smith (Russell)	Taylor
Perry	Roberts	Smith (St. Clair)	Thomas
Pierce	Rogers (Macon)	Solomon	Torbert
Powell	Rogers (Mobile)	Sorrell	Turnham
Ramey	Salter	Speaks	Vickers
Rast	Self		

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Nay:

Mr. Cabiness

—1

And said bill, H. 75, as thus amended, was read a third time at length and passed.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Dodd	Johnson (Hardaway)	Ramey
Adams	Dunn	Johnson (J. T. Tom)	Rast
Albea	Edwards	Johnston (Leonard)	Ray
Avery	Engel	Jones (Covington)	Reynolds (Chambers)
Bailey	Faulk	Jones (Monroe)	Reynolds (Madison)
Barnett	Ferguson	Lee	Roberts
Bassett	Ford	Long (Lauderdale)	Rogers (Macon)
Bevill	Franklin	Long (Perry)	Rogers (Mobile)
Bishop	Gilchrist	McClendon (Chambers)	Salter
Brannan	Gilmer	McCorquodale	Self
Branyon	Glass	McLendon (Bullock)	Sessions
Brewer	Goldthwaite	Martin	Shumate
Britton	Goodwyn	Meade	Smith (Russell)
Brooks	Gordon	Merrill	Smith (St. Clair)
Cabiness	Grant	Morrow	Solomon
Camp	Grouby	Murphy	Sorrell
Casey	Hain	Nettles	Steagall
Cates	Hanby	Nichols	Sullivan
Chambers	Hankins	Oakley	Taylor
Cook	Hardy	Oden	Thomas
Copeland	Harvey	Owens	Torbert
Cornett	Hawkins	Perry	Turnham
Daniel	Hearn	Pierce	Vickers
Dickson	Ingram	Powell	

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BILLS POSTPONED

On motion of Mr. Roberts, consideration of the bills, H. 118, H. 119 and H. 120, was postponed until the next legislative day.

And the bill:

H. 124. To amend Act No. 833, H. 1498, approved September 8, 1961, which levies a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in counties having populations of not

less than 80,000 and not more than 96,000 according to the last or any subsequent federal decennial census, and provides for the collection and enforcement of such tax, so as to provide for the use of tax stamps in the collection of the tax and to authorize and provide for the seizure and confiscation of any malt or brewed beverage hereby taxed on which the tax has not been paid and tax stamps affixed pursuant to this Act by any law enforcement officer of the county, of any municipality in the county, or of the state.

Was taken up.

Mr. Merrill offered the following amendment to the bill, H. 124:

Amendment to H. 124:

In Section 2, on page 3, 2d paragraph, insert after the first sentence ending with the words "of this state" the following sentence:

It shall also be unlawful for any person to possess or have in his possession within the county any malt or brewed beverages which do not have affixed thereto county tax stamps as required in this Act.

Also, in Section 2, 2d paragraph, insert in the 4th sentence, after "license inspector" and before "shall commence", the words and figures " , sheriff or solicitor "

And the amendment was adopted.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dodd	Johnson (Hardaway)	Ramey
Adams	Dunn	Johnson (J. T. Tom)	Rast
Albea	Edwards	Johnston (Leonard)	Ray
Avery	Engel	Jones (Covington)	Reynolds (Chambers)
Barnett	Faulk	Jones (Monroe)	Reynolds (Madison)
Bassett	Ferguson	Lee	Roberts
Bevill	Ford	Locke	Rogers (Macon)
Bishop	Franklin	Long (Perry)	Rogers (Mobile)
Brannan	Gilmer	McClendon (Chambers)	Salter
Branyon	Glass	McCorquodale	Self
Brewer	Goldthwaite	McLendon (Bullock)	Sessions
Britton	Goodwyn	Martin	Shumate
Brooks	Gordon	Meade	Smith (Russell)
Cabiness	Grant	Merrill	Solomon
Camp	Grouby	Morrow	Sorrell
Casey	Hain	Murphy	Speaks
Cates	Hanby	Nettles	Steagall
Chambers	Hankins	Nichols	Sullivan
Cook	Hardy	Oakley	Thomas
Copeland	Harris	Owens	Torbert
Cornett	Harvey	Pierce	Turnham
Daniel	Hearn	Powell	Vickers
Dickson	Ingram		

—90

And said bill, H. 124, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 1.

Yeas:

Mr. Speaker	Dodd	Ingram	Powell
Adams	Dunn	Johnson (Hardaway)	Ramey
Albea	Edwards	Johnson (J. T. Tom)	Rast
Avery	Engel	Johnston (Leonard)	Ray
Barnett	Faulk	Jones (Covington)	Reynolds (Chambers)
Bassett	Ferguson	Jones (Monroe)	Reynolds (Madison)
Bevill	Ford	Lee	Roberts
Bishop	Franklin	Locke	Rogers (Macon)
Brannan	Gilmer	Long (Perry)	Rogers (Mobile)
Branyon	Glass	McCorquodale	Salter
Brewer	Goldthwaite	McLendon (Bullock)	Self
Britton	Goodwyn	Martin	Shumate
Brooks	Gordon	Meade	Smith (Russell)
Cabiness	Grant	Merrill	Solomon
Camp	Grouby	Morrow	Sorrell
Casey	Hain	Murphy	Speaks
Cates	Hanby	Nettles	Steagall
Chambers	Hankins	Nichols	Sullivan
Cook	Hardy	Oakley	Thomas
Cornett	Harris	Oden	Turnham
Daniel	Harvey	Owens	Vickers
Dickson	Hearn	Pierce	

—87

Nay:

Mr. Copeland

1

And the bill:

H. 126. Relating to counties having populations of not less than 25,700 nor more than 25,950; to alter, rearrange and extend the corporate limits of certain towns within such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Cabiness	Faulk	Harris
Adams	Camp	Ferguson	Harvey
Albea	Casey	Ford	Hearn
Avery	Cates	Franklin	Ingram
Bailey	Chambers	Gilmer	Jenkins
Barnett	Cook	Glass	Johnson (Hardaway)
Bassett	Copeland	Goldthwaite	Johnson (J. T. Tom)
Bevill	Cornett	Gordon	Johnston (Leonard)
Bishop	Daniel	Grant	Jones (Covington)
Branyon	Dickson	Grouby	Jones (Monroe)
Brewer	Dodd	Hain	Lee
Britton	Dunn	Hanby	Locke
Broadfoot	Edwards	Hankins	Long (Perry)
Brooks	Engel	Hardy	McClendon (Chambers)

McCorquodale	Perry	Rogers (Macon)	Speaks
McLendon (Bullock)	Pierce	Salter	Steagall
Meade	Powell	Self	Sullivan
Merrill	Ramey	Sessions	Taylor
Murphy	Rast	Shumate	Thomas
Nettles	Ray	Smith (Russell)	Torbert
Nichols	Reynolds (Chambers)	Solomon	Turnham
Oakley	Reynolds (Madison)	Sorrell	Vickers
Owens	Roberts		

—90

And the bill:

H. 128. To apply only in counties having populations of not less than 21,800 nor more than 21,850 according to the last or any subsequent federal decennial census; to provide for the uniform operation of school terms for all public schools within such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dodd	Jenkins	Ramey
Adams	Edwards	Johnson (Hardaway)	Rast
Albea	Engel	Johnson (J. T. Tom)	Ray
Avery	Faulk	Johnston (Leonard)	Reynolds (Chambers)
Bailey	Ferguson	Jones (Covington)	Roberts
Barnett	Ford	Jones (Monroe)	Rogers (Macon)
Bassett	Franklin	Lee	Rogers (Mobile)
Bevill	Gilchrist	Locke	Salter
Bishop	Gilmer	Long (Perry)	Self
Branyon	Glass	McClendon (Chambers)	Sessions
Brewer	Goldthwaite	McCorquodale	Shumate
Britton	Gordon	McLendon (Bullock)	Smith (Russell)
Brooks	Grant	Martin	Solomon
Cabiness	Grouby	Meade	Sorrell
Camp	Hain	Merrill	Speaks
Casey	Hanby	Murphy	Steagall
Cates	Hankins	Nettles	Sullivan
Chambers	Hardy	Nichols	Taylor
Cook	Harris	Oakley	Thomas
Copeland	Harvey	Owens	Torbert
Cornett	Hawkins	Perry	Turnham
Daniel	Hearn	Pierce	Vickers
Dickson	Ingram	Powell	

—91

And the bill:

H. 129. To apply only in counties having populations of not less than 21,800 nor more than 21,850; to prescribe qualifications, compensation and duties of members of the county board of education.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hearn	Powell
Adams	Dodd	Ingram	Ramey
Albea	Dunn	Jenkins	Rast
Avery	Edwards	Johnson (Hardaway)	Ray
Bailey	Engel	Johnson (J. T. Tom)	Reynolds (Chambers)
Barnett	Faulk	Johnston (Leonard)	Reynolds (Madison)
Bassett	Ferguson	Jones (Covington)	Roberts
Bevill	Ford	Jones (Monroe)	Rogers (Macon)
Bishop	Franklin	Lee	Rogers (Mobile)
Brannan	Gilchrist	Locke	Salter
Branyon	Gilmer	Long (Perry)	Self
Brewer	Glass	McClendon (Chambers)	Shumate
Britton	Goldthwaite	McCorquodale	Smith (Russell)
Broadfoot	Goodwyn	McLendon (Bullock)	Solomon
Brooks	Gordon	Meade	Sorrell
Cabiness	Grant	Merrill	Speaks
Camp	Grouby	Murphy	Steagall
Casey	Hain	Nettles	Sullivan
Cates	Hanby	Nichols	Taylor
Chambers	Hankins	Oakley	Thomas
Cook	Hardy	Owens	Torbert
Copeland	Harris	Perry	Turnham
Cornett	Harvey	Pierce	Vickers
Daniel			

—93

And the bill:

H. 131. To validate the incorporation of municipalities attempted to be organized in territory of less than 1,000 inhabitants, in which in any election held for the purpose of incorporation, since June 30, 1961, a majority of the electors participating in said election voted in favor of incorporation, but which election may have been irregular because of failure to comply with requirements as to publication or posting or any other procedures required by law.

Was taken up.

Mr. Goodwyn offered the following amendment to the bill, H. 131:

Amend House Bill 131 by inserting the word "when" following the word "and" in line 10 of Section One of said bill.

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Bishop	Cates	Dunn
Adams	Brannan	Chambers	Edwards
Albea	Branyon	Cook	Engel
Avery	Brewer	Copeland	Faulk
Bailey	Brooks	Cornett	Ferguson
Barnett	Cabiness	Daniel	Ford
Bassett	Camp	Dickson	Franklin
Bevill	Casey	Dodd	Gilchrist

Gilmer	Jenkins	Murphy	Rogers (Mobile)
Glass	Johnson (J. T. Tom)	Nettles	Salter
Goldthwaite	Johnston (Leonard)	Nichols	Self
Goodwyn	Jones (Covington)	Oakley	Sessions
Gordon	Jones (Monroe)	Owens	Shumate
Grant	Lee	Perry	Smith (Russell)
Grouby	Locke	Pierce	Solomon
Hain	Long (Perry)	Powell	Sorrell
Hanby	McClendon (Chambers)	Ramey	Steagall
Hankins	McCorquodale	Rast	Sullivan
Hardy	McLendon (Bullock)	Ray	Taylor
Harris	Martin	Reynolds (Chambers)	Thomas
Harvey	Meade	Reynolds (Madison)	Torbert
Hearn	Merrill	Roberts	Turnham
Ingram	Morrow	Rogers (Macon)	Vickers

—92

And said bill, H. 131, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dodd	Jenkins	Ramey
Adams	Dunn	Johnson (J. T. Tom)	Rast
Albea	Edwards	Johnston (Leonard)	Ray
Avery	Engel	Jones (Covington)	Reynolds (Chambers)
Bailey	Faulk	Jones (Monroe)	Reynolds (Madison)
Barnett	Ferguson	Lee	Roberts
Bassett	Ford	Locke	Rogers (Macon)
Bevill	Franklin	Long (Perry)	Rogers (Mobile)
Brannan	Gilmer	McCorquodale	Salter
Branyon	Gordon	McLendon (Bullock)	Self
Brewer	Goldthwaite	Martin	Sessions
Britton	Goodwyn	Meade	Shumate
Brooks	Gordon	Merrill	Smith (Russell)
Cabiness	Grant	Morrow	Solomon
Camp	Grouby	Murphy	Sorrell
Casey	Hain	Nettles	Speaks
Cates	Hanby	Nichols	Steagall
Chambers	Hardy	Oakley	Sullivan
Cook	Harris	Owens	Thomas
Copeland	Harvey	Perry	Turnham
Cornett	Hearn	Pierce	Vickers
Daniel	Ingram	Powell	

—87

And the bill:

H. 132. Providing that in any county having a population of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census, it shall be unlawful for any person to go upon or remain upon the lands, buildings or premises of another or any part, portion, or area thereof after having been forbidden to do so either orally or in writing by the owner, lessee, custodian, or other person in possession thereof, his agent or representative or after having been forbidden to do so by a written legible sign or signs posted on such lands, buildings or premises at a place or places where such sign or signs are visible, and to fix the punishments for a violation of this Act.

Was taken up.

Mr. Ferguson offered the following substitute for the bill, H. 132:

A BILL
TO BE ENTITLED
AN ACT

To make it unlawful for any person to go upon or remain upon the lands, buildings or premises of another or any part, portion or area thereof after having been forbidden to do so either orally or in writing by the owner, lessee, custodian or other person in possession thereof, his agent or representative or after having been forbidden to do so by a written legible sign or signs posted on such lands, buildings or premises at a place or places where such sign or signs are visible, and to fix the punishments for a violation of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1: That it shall be unlawful for any person to go upon or remain upon the lands, buildings or premises of another, or any part, portion or area thereof, after having been forbidden to do so, either orally or in writing, by the owner, lessee, custodian or other person in possession thereof, his agent or representative, or after having been forbidden to do so by a written legible sign or signs posted on such lands, buildings, or premises, at a place or places where such sign, or signs, are visible.

Section 2: It shall be unlawful for any person to solicit, urge, exhort, instigate, aid, abet or procure another or others to do anything prohibited by Section 1 of this Act.

Section 3: Any person who violates Section One or Two of this Act shall be punished by a fine not exceeding One Thousand Dollars and by being sentenced to hard labor for the County where convicted for not more than one year, or both.

Section 4: All laws and parts of laws which conflict with this Act are repealed.

Section 5: The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6: This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

The Speaker ruled that the substitute offered by Mr. Ferguson for the bill, H. 132, was out of order.

And said bill, H. 132, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 2.

Yeas:

Mr. Speaker
Adams

Albea
Avery

Barnett
Bassett

Bevill
Brannan

Branyon	Gilmer	Johnston (Leonard)	Rast
Brewer	Glass	Jones (Covington)	Ray
Britton	Goldthwaite	Jones (Monroe)	Reynolds (Chambers)
Brooks	Goodwyn	Lee	Reynolds (Madison)
Callahan	Gordon	Locke	Roberts
Camp	Grant	Long (Perry)	Rogers (Macon)
Casey	Grouby	McClendon (Chambers)	Rogers (Mobile)
Cates	Hain	McLendon (Bullock)	Salter
Chambers	Hanby	Martin	Self
Cook	Hankins	Meade	Sessions
Copeland	Hardy	Merrill	Smith (Russell)
Daniel	Harris	Nettles	Solomon
Dickson	Harvey	Nichols	Sorrell
Dodd	Hawkins	Oakley	Speaks
Dunn	Hearn	Owens	Steagall
Faulk	Ingram	Perry	Sullivan
Ferguson	Jenkins	Pierce	Taylor
Ford	Johnson (Hardaway)	Powell	Thomas
Franklin	Johnson (J. T. Tom)	Ramey	

—83

Nays:

Messrs. Broadfoot Cabiness

—2

And the bill:

H. 133. Providing that in any county having a population of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census, it shall be unlawful for any person to enter, or attempt to enter, any church of which he is not a member while religious services are in progress therein after having been requested not to enter or attempt to enter said church by any member, usher, minister or preacher of said church, or to fail to leave or vacate said church of which he is not a member after such service has begun therein when requested to do so by any member, usher or preacher or minister of said church, and to provide and prescribe punishment for violation of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Callahan	Franklin	Hearn
Adams	Camp	Gilmer	Ingram
Albea	Casey	Glass	Jenkins
Avery	Cates	Goldthwaite	Johnson (Hardaway)
Bailey	Chambers	Goodwyn	Johnson (J. T. Tom)
Barnett	Cook	Gordon	Johnston (Leonard)
Bassett	Copeland	Grant	Jones (Covington)
Bevill	Cornett	Grouby	Jones (Monroe)
Bishop	Daniel	Hain	Lee
Brannan	Dickson	Hanby	Long (Lauderdale)
Branyon	Dodd	Hankins	Long (Perry)
Britton	Dunn	Hardy	McClendon (Chambers)
Brooks	Faulk	Harris	McCorquodale
Cabiness	Ford	Harvey	McLendon (Bullock)

Martin	Pierce	Rogers (Macon)	Sorrell
Meade	Powell	Rogers (Mobile)	Speaks
Merrill	Ramey	Salter	Steagall
Nettles	Rast	Self	Sullivan
Nichols	Ray	Sessions	Taylor
Oakley	Reynolds (Chambers)	Shumate	Thomas
Owens	Reynolds (Madison)	Smith (Russell)	Vickers
Perry	Roberts	Solomon	

—87

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Ferguson to suspend the rules in order to introduce two bills out of order was adopted.

INTRODUCTION OF BILLS

The following bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Ferguson:

H. 154. To make it unlawful for any person to go upon or remain upon the lands, buildings or premises of another or any part, portion or area thereof after having been forbidden to do so either orally or in writing by the owner, lessee, custodian or other person in possession thereof, his agent or representative or after having been forbidden to do so by a written legible sign or signs posted on such lands, buildings or premises at a place or places where such sign or signs are visible, and to fix the punishments for a violation of this Act.

State Administration.

By Mr. Ferguson:

H. 155. Providing and to provide that it shall be unlawful for any person to enter, or attempt to enter, any church of which he is not a member while religious services are in progress therein after having been requested not to enter or attempt to enter said church by any member, usher or minister or preacher of said church, or to fail to leave or vacate said church of which he is not a member after such service has begun therein when requested to do so by any member, usher or preacher or minister of said church and to provide and prescribe punishments for violation of this Act and providing for repeal of conflicting laws and providing for the effective date of this Act.

State Administration.

BILLS ON THIRD READING RESUMED

H. 134. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 100,000 nor more than 110,000 according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Pierce
Adams	Dodd	Jenkins	Powell
Albea	Dunn	Johnson (Hardaway)	Ramey
Avery	Edwards	Johnson (J. T. Tom)	Rast
Bailey	Engel	Johnston (Leonard)	Ray
Barnett	Faulk	Jones (Covington)	Reynolds (Chambers)
Bassett	Ferguson	Jones (Monroe)	Reynolds (Madison)
Bevill	Ford	Lee	Roberts
Bishop	Franklin	Locke	Rogers (Macon)
Brannan	Gilmer	Long (Perry)	Rogers (Mobile)
Branyon	Glass	McClendon (Chambers)	Self
Brewer	Goldthwaite	McCorquodale	Sessions
Britton	Goodwyn	McLendon (Bullock)	Shumate
Brooks	Gordon	Martin	Smith (Russell)
Callahan	Grant	Meade	Solomon
Camp	Grouby	Merrill	Sorrell
Casey	Hain	Morrow	Speaks
Cates	Hanby	Murphy	Steagall
Chambers	Hankins	Nettles	Sullivan
Cook	Hardy	Nichols	Taylor
Copeland	Harris	Oakley	Thomas
Cornett	Harvey	Owens	Turnham
Daniel	Hearn	Perry	Vickers

—92

And the bill:

§ 31. To authorize and provide for the creation of a public corporation in each county of the state which has a population of at least 250,000, but not more than 500,000 according to the last or any subsequent federal decennial census, to provide for, promote and encourage education on a college or university level and cultural and scientific opportunities for the inhabitants of the county; to provide for the selection of the members and board of directors thereof; to authorize and direct such board to become a public corporation; to prescribe the manner of effecting such corporation; to authorize and empower the corporation to enter into agreements with public educational bodies or any governmental agency or body for the purpose of carrying out its functions; to provide for the powers of such corporation, its continuation and dissolution; and to provide for the transfer to any corporation formed hereunder of the rights, powers, duties and assets of certain other public corporations, which are hereby abolished.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Britton	Daniel	Gilmer
Adams	Broadfoot	Dickson	Glass
Albea	Brooks	Dodd	Goldthwaite
Avery	Cabiness	Dunn	Goodwyn
Barnett	Camp	Edwards	Gordon
Bassett	Casey	Engel	Grouby
Bevill	Cates	Faulk	Hain
Bishop	Chambers	Ferguson	Hanby
Brannan	Cook	Ford	Hankins
Branyon	Copeland	Franklin	Hardy
Brewer	Cornett	Gilchrist	Harris

Harvey	McClendon (Chambers)	Owens	Self
Hawkins	McCorquodale	Perry	Sessions
Hearn	McLendon (Bullock)	Pierce	Shumate
Ingram	Martin	Powell	Smith (Russell)
Jenkins	Meade	Ramey	Solomon
Johnson (Hardaway)	Merrill	Rast	Sorrell
Johnson (J. T. Tom)	Morrow	Ray	Steagall
Johnston (Leonard)	Murphy	Reynolds (Chambers)	Sullivan
Jones (Covington)	Nettles	Reynolds (Madison)	Taylor
Jones (Monroe)	Nichols	Roberts	Thomas
Lee	Oakley	Rogers (Macon)	Turnham
Locke	Oden	Rogers (Mobile)	Vickers
Long (Perry)			

—93

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 44. To apply in all counties of the State having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census; providing for the appointment of bailiffs for the Circuit Courts in such counties, prescribing their duties, and regulating their compensation.

Also:

H. 67. Relating to cities having a population of not less than 200,000 nor more than 300,000, according to the last or any subsequent federal decennial census; providing for the appointment of an administrative assistant by the members of the city commission, council, or like governing body of any such city.

Also:

H. 84. To permit any bank having its principal place of business in Houston County to establish, maintain, and operate, within the corporate limits or police jurisdiction of any incorporated municipality in which it does business, one or more branches or additional offices or places of business, subject to the approval of the state superintendent of banks.

Also:

H. 92. To authorize and provide for the creation of a public corporation in each county of the state which has a population of at least 250,000, but not more than 500,000 according to the last or any subsequent federal decennial census, to provide for, promote and encourage education on a college or university level and cultural and scientific opportunities for the inhabitants of the county; to provide for the selection of the members and board of directors thereof; to authorize and direct such board to become a public corporation; to prescribe the manner of effecting such corporation; to authorize and empower the corporation to enter into agreements with public educational bodies or any governmental agency or body for the purpose of carrying out its functions; to provide for the powers of such corporation, its continuation and dissolution; and to provide for the trans-

fer to any corporation formed hereunder of the rights, powers, duties and assets of certain other public corporations, which are hereby abolished.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED
MOTION TO SUSPEND RULES LOST

The motion of Mr. Pruitt to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 29, was lost.

Yeas 66; Nays 33.

Yeas:

Mr. Speaker	Dunn	Johnson (Hardaway)	Powell
Adams	Faulk	Johnson (J. T. Tom)	Pruitt
Avery	Ferguson	Johnston (Leonard)	Ramey
Barnett	Ford	Jones (Covington)	Ray
Bassett	Franklin	Jones (Monroe)	Reynolds (Chambers)
Bevill	Gilmer	Lee	Rogers (Macon)
Brannan	Glass	Long (Perry)	Salter
Branyon	Gordon	McClendon (Chambers)	Self
Britton	Grant	McCorquodale	Smith (Russell)
Brooks	Grouby	McLendon (Bullock)	Smith (St. Clair)
Casey	Hain	Martin	Sorrell
Cates	Hankins	Meade	Speaks
Cook	Hardy	Nettles	Sullivan
Cornett	Harris	Oakley	Taylor
Daniel	Harvey	Oden	Thomas
Dickson	Ingram	Owens	Vickers
Dodd	Jenkins		

—66

Nays:

Messrs.	Chambers	Long (Lauderdale)	Reynolds (Madison)
Albea	Copeland	Merrill	Roberts
Bailey	Edwards	Morrow	Rogers (Mobile)
Bishop	Engel	Murphy	Sessions
Brewer	Goldthwaite	Nichols	Shumate
Broadfoot	Goodwyn	Perry	Solomon
Cabiness	Hanby	Pierce	Steagall
Callahan	Hawkins	Rast	Turnham
Camp	Locke		

—33

BILLS POSTPONED

On motion of Mr. Pruitt, consideration of the bill, H. 59, as amended, was temporarily postponed.

Yeas 72; Nays 29.

Yeas:

Mr. Speaker	Faulk	Ingram	Powell
Avery	Ferguson	Jenkins	Pruitt
Barnett	Ford	Johnson (Hardaway)	Ramey
Bassett	Franklin	Johnson (J. T. Tom)	Ray
Bevill	Gilchrist	Johnston (Leonard)	Reynolds (Chambers)
Brannan	Gilmer	Jones (Covington)	Rogers (Macon)
Branyon	Glass	Jones (Monroe)	Salter
Britton	Goldthwaite	Lee	Self
Brooks	Goodwyn	Long (Perry)	Shumate
Cabiness	Gordon	McClendon (Chambers)	Smith (Russell)
Casey	Grant	McCorquodale	Smith (St. Clair)
Cates	Grouby	McLendon (Bullock)	Sorrell
Cook	Hain	Martin	Speaks
Cornett	Hankins	Meade	Sullivan
Daniel	Hardy	Nettles	Taylor
Dickson	Harris	Oakley	Thomas
Dodd	Harvey	Oden	Torbert
Dunn	Hearn	Owens	Vickers

—72

Nays:

Messrs.	Chambers	Merrill	Reynolds (Madison)
Adams	Copeland	Morrow	Roberts
Albea	Edwards	Murphy	Rogers (Mobile)
Bailey	Engel	Nichols	Sessions
Brewer	Hanby	Perry	Solomon
Broadfoot	Hawkins	Pierce	Steagall
Callahan	Locke	Rast	Turnham
Camp	Long (Lauderdale)		

—29

On motion of Mr. Pruitt, consideration of the bill, H. 60, was temporarily postponed.

Yeas 66; Nays 34.

Yeas:

Mr. Speaker	Faulk	Johnson (Hardaway)	Owens
Avery	Ford	Johnson (J. T. Tom)	Powell
Barnett	Franklin	Johnston (Leonard)	Ramey
Bassett	Gilchrist	Jones (Covington)	Ray
Bevill	Gilmer	Jones (Monroe)	Reynolds (Chambers)
Brannan	Glass	Lee	Rogers (Macon)
Branyon	Goodwyn	Long (Perry)	Self
Britton	Gordon	McClendon (Chambers)	Smith (Russell)
Brooks	Grant	McCorquodale	Smith (St. Clair)
Casey	Grouby	McLendon (Bullock)	Sorrell
Cates	Hain	Martin	Speaks
Cook	Hankins	Meade	Sullivan
Cornett	Hardy	Merrill	Taylor
Daniel	Harris	Nettles	Thomas
Dickson	Harvey	Oakley	Turnham
Dodd	Ingram	Oden	Vickers
Dunn	Jenkins		

—66

Nays:

Messrs.	Chambers	Locke	Roberts
Adams	Copeland	Long (Lauderdale)	Rogers (Mobile)
Albea	Edwards	Morrow	Salter
Bailey	Engel	Murphy	Sessions
Brewer	Ferguson	Nichols	Shumate
Broadfoot	Goldthwaite	Perry	Solomon
Cabiness	Hanby	Pierce	Steagall
Callahan	Hawkins	Rast	Torbert
Camp	Hearn	Reynolds (Madison)	

—34

On motion of Mr. Pruitt, consideration of the bill, H. 35, was temporarily postponed.

Yeas 66; Nays 30.

Yeas:

Mr. Speaker	Dickson	Harvey	Oden
Adams	Dodd	Ingram	Owens
Albea	Dunn	Jenkins	Powell
Avery	Faulk	Johnson (Hardaway)	Pruitt
Barnett	Ferguson	Johnson (J. T. Tom)	Ramey
Bassett	Ford	Johnston (Leonard)	Ray
Bevill	Franklin	Jones (Monroe)	Reynolds (Chambers)
Brannan	Gilchrist	Lee	Rogers (Macon)
Branyon	Gilmer	Long (Perry)	Self
Britton	Glass	McClendon (Chambers)	Smith (Russell)
Brooks	Goodwyn	McCorquodale	Smith (St. Clair)
Casey	Gordon	McLendon (Bullock)	Sorrell
Cates	Grant	Martin	Sullivan
Chambers	Grouby	Meade	Taylor
Cook	Hain	Nettles	Thomas
Cornett	Hankins	Oakley	Vickers
Daniel	Hardy		

—66

Nays:

Messrs.	Engel	Murphy	Salter
Bailey	Goldthwaite	Nichols	Sessions
Brewer	Hanby	Perry	Solomon
Broadfoot	Hawkins	Pierce	Speaks
Cabiness	Jones (Covington)	Rast	Steagall
Camp	Locke	Reynolds (Madison)	Torbert
Copeland	Long (Lauderdale)	Roberts	Turnham
Edwards	Morrow	Rogers (Mobile)	

—30

On motion of Mr. Pruitt, consideration of the bill, H. 61, was temporarily postponed.

Yeas 67; Nays 29.

Yeas:

Mr. Speaker	Avery	Bassett	Brannan
Albea	Barnett	Bevill	Branyon

Britton	Gilmer	Jones (Covington)	Ramey
Brooks	Glass	Jones (Monroe)	Ray
Casey	Goodwyn	Lee	Reynolds (Chambers)
Cates	Gordon	Long (Perry)	Rogers (Macon)
Cook	Grant	McClendon (Chambers)	Self
Cornett	Grouby	McCorquodale	Smith (Russell)
Daniel	Hain	McLendon (Bullock)	Smith (St. Clair)
Dickson	Hankins	Martin	Sorrell
Dodd	Hardy	Meade	Speaks
Dunn	Harvey	Merrill	Sullivan
Faulk	Ingram	Nettles	Taylor
Ferguson	Jenkins	Oakley	Thomas
Ford	Johnson (Hardaway)	Oden	Torbert
Franklin	Johnson (J. T. Tom)	Owens	Vickers
Gilchrist	Johnston (Leonard)	Powell	

—67

Nays:

Messrs.	Edwards	Murphy	Rogers (Mobile)
Adams	Engel	Nichols	Salter
Bailey	Goldthwaite	Perry	Sessions
Brewer	Hanby	Pierce	Shumate
Broadfoot	Hawkins	Rast	Solomon
Cabiness	Locke	Reynolds (Madison)	Steagall
Camp	Long (Lauderdale)	Roberts	Turnham
Copeland	Morrow		

—29

And the bill:

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

Was taken up.

Mr. Long (Perry) offered the following amendment to the bill, S. 29:

Amendment to S. 29

In Section 1, strike out paragraph 7 of the proposed constitutional amendment.

And the amendment was adopted.

Yeas 89; Nays 7.

Yeas:

Mr. Speaker	Branyon	Cornett	Gilchrist
Adams	Brewer	Daniel	Gilmer
Albea	Broadfoot	Dickson	Glass
Avery	Cabiness	Dodd	Goldthwaite
Bailey	Camp	Dunn	Goodwyn
Barnett	Casey	Edwards	Gordon
Bassett	Cates	Faulk	Grant
Bevill	Chambers	Ferguson	Grouby
Bishop	Cook	Ford	Hain
Brannan	Copeland	Franklin	Hanby

Hankins	Long (Perry)	Owens	Sessions
Hardy	McClendon (Chambers)	Perry	Shumate
Harris	McCorquodale	Pierce	Smith (Russell)
Harvey	McLendon (Bullock)	Powell	Smith (St. Clair)
Hearn	Martin	Pruitt	Sorrell
Ingram	Meade	Ramey	Speaks
Jenkins	Merrill	Rast	Steagall
Johnson (Hardaway)	Morrow	Ray	Sullivan
Johnson (J. T. Tom)	Nettles	Roberts	Taylor
Johnston (Leonard)	Nichols	Rogers (Macon)	Thomas
Jones (Monroe)	Oakley	Rogers (Mobile)	Turnham
Lee	Oden	Self	Vickers
Locke			

—89

Nays:

Messrs.	Gross	Long (Lauderdale)	Salter
Engel	Jones (Covington)	Murphy	Solomon

—7

The Speaker ruled that the adoption of the amendment caused a material change in the bill, S. 29, and that it would now be necessary that the bill, S. 29, as amended, be read in the House on three several days.

On motion of Mr. Pruitt, the bill, S. 29, as amended, was read a first time at length as required by the Constitution.

UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business, and the bill

H. 59. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

As amended, was again taken up.

Mr. Cabiness offered the following amendment to the bill, H. 59, as amended:

Amendment to H. 59, as amended

In Section 3, strike out the 2d paragraph and insert in lieu thereof the following:

The county of Jefferson shall have and elect 10 representatives; the county of Mobile shall have and elect 5 representatives; the county of Montgomery shall have and elect 4 representatives; the counties of Madison, Tuscaloosa, Etowah and Calhoun shall each have and elect 3 representatives; the counties of Talladega, Lauderdale, Morgan, Dallas, Walker, Houston, Lee, Baldwin, Marshall, Colbert, Russell, Cullman, DeKalb, Chambers and Jackson shall each have and elect 2 representatives; and the remaining counties of the state shall each have and elect 1 representative.

On motion of Mr. Smith (Russell) the amendment offered by Mr. Cabiness to the bill, H. 59, as amended, was laid upon the table.

Yeas 58; Nays 36.

Yeas:

Mr. Speaker	Cornett	Hawkins	Powell
Adams	Dunn	Ingram	Pruitt
Albea	Edwards	Jenkins	Rast
Bailey	Engel	Johnston (Leonard)	Roberts
Bassett	Faulk	Jones (Monroe)	Rogers (Mobile)
Bevill	Franklin	Lee	Sessions
Brannan	Gilchrist	Locke	Smith (Russell)
Branyon	Gilmer	Merrill	Solomon
Brewer	Glass	Morrow	Sorrell
Broadfoot	Goodwyn	Murphy	Steagall
Camp	Grouby	Nichols	Thomas
Cates	Hain	Owens	Torbert
Chambers	Hanby	Perry	Turnham
Cook	Hardy	Pierce	Vickers
Copeland	Harvey		

—58

Nays:

Messrs.	Ferguson	McClendon (Chambers)	Ray
Barnett	Ford	McCorquodale	Reynolds (Chambers)
Bishop	Grant	McLendon (Bullock)	Rogers (Macon)
Brooks	Gross	Martin	Salter
Cabiness	Hankins	Meade	Self
Callahan	Harris	Nettles	Shumate
Casey	Jones (Covington)	Oakley	Smith (St. Clair)
Daniel	Long (Lauderdale)	Oden	Speaks
Dickson	Long (Perry)	Ramey	Sullivan
Dodd			

—36

And said bill, H. 59, as amended, was read a third time at length and passed.

Yeas 58; Nays 42.

Yeas:

Mr. Speaker	Cates	Hankins	Reynolds (Madison)
Adams	Chambers	Hardy	Roberts
Albea	Copeland	Hearn	Self
Bailey	Cornett	Ingram	Shumate
Bassett	Dodd	Jenkins	Smith (Russell)
Bevill	Faulk	Johnson (Hardaway)	Smith (St. Clair)
Bishop	Ferguson	Johnston (Leonard)	Solomon
Brannan	Franklin	Lee	Sorrell
Branyon	Gilchrist	Long (Lauderdale)	Steagall
Brewer	Gilmer	McClendon (Chambers)	Sullivan
Britton	Glass	Merrill	Taylor
Broadfoot	Goodwyn	Nichols	Thomas
Callahan	Grouby	Oden	Torbert
Camp	Hain	Pierce	Turnham
Casey	Hanby		

—58

Nays:

Messrs.	Barnett	Cabiness	Daniel
Avery	Brooks	Cook	Dickson

Dunn	Jones (Covington)	Murphy	Ray
Edwards	Jones (Monroe)	Nettles	Reynolds (Chambers)
Engel	Locke	Oakley	Rogers (Macon)
Grant	Long (Perry)	Owens	Rogers (Mobile)
Gross	McCorquodale	Perry	Salter
Harris	McLendon (Bullock)	Powell	Sessions
Harvey	Martin	Pruitt	Speaks
Hawkins	Meade	Ramey	Vickers
Johnson (J. T. Tom)	Morrow	Rast	

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 75. TO PROVIDE THAT IN ANY CITY OF THE STATE HAVING A POPULATION OF 300,000 OR MORE ACCORDING TO THE LAST OR ANY SUBSEQUENT FEDERAL CENSUS IT SHALL BE UNLAWFUL FOR ANY MEMBER OF THE GOVERNING BODY, OR OFFICER OR EMPLOYEE OF THE CITY TO BE DIRECTLY OR INDIRECTLY INTERESTED IN ANY WORK, BUSINESS OR CONTRACT, THE EXPENSE, PRICE OR CONSIDERATION OF WHICH IS PAID FROM THE TREASURY OF THE CITY; TO PROVIDE THAT IN ANY SUCH CITY NO MEMBER OF ANY COMMITTEE, BOARD OR BOARD OF MANAGERS, TRUSTEES OR DIRECTORS CONTAINING ONE OR MORE MEMBERS APPOINTED BY THE GOVERNING BODY OF THE CITY, OR ONE OR MORE MEMBERS WHOSE APPOINTMENT IS SUBJECT TO THE APPROVAL OF THE SAID GOVERNING BODY, OR ANY OFFICER OR EMPLOYEE OF THE CITY WHO IS AN EX OFFICIO MEMBER OF THE SAID COMMITTEE OR BOARD, SHALL BE DIRECTLY OR INDIRECTLY INTERESTED IN ANY WORK, BUSINESS OR CONTRACT THE EXPENSE, PRICE OR CONSIDERATION OF WHICH IS PAID FROM THE FUNDS OVER WHICH SUCH COMMITTEE OR BOARD HAS JURISDICTION OR WHICH SUCH COMMITTEE OR BOARD ADMINISTERS, AND TO PROVIDE THAT NO MEMBER OF ANY SUCH COMMITTEE OR BOARD SHALL BE DIRECTLY OR INDIRECTLY INTERESTED IN FURNISHING ANY WORK, MATERIALS, SUPPLIES, SERVICES OR ANYTHING WHICH IS THE SUBJECT OF A CONTRACT MADE BY THE COMMITTEE OR BOARD; TO PROVIDE THAT MEMBERSHIP ON ANY SUCH COMMITTEE OR BOARD SHALL NOT RESULT IN IT BEING UNLAWFUL FOR A MEMBER OF THE COMMITTEE OR BOARD TO BE INTERESTED IN ANY WORK FOR, OR BUSINESS OR CONTRACT WITH, ANY SUCH CITY, PROVIDED THE SAID COMMITTEE OR BOARD DOES NOT AUTHORIZE THE SAID WORK, BUSINESS OR CONTRACT; TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR ANY MEMBER OF THE GOVERNING BODY OR ANY OFFICER OF ANY SUCH CITY TO BE SURETY FOR ANY PERSON HAVING A CONTRACT, WORK OR BUSINESS WITH THE CITY

FOR THE PERFORMANCE OF WHICH A SURETY MAY BE REQUIRED; TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR A MEMBER OF ANY SUCH COMMITTEE OR BOARD TO BE A SURETY FOR ANY PERSON HAVING A CONTRACT, WORK OR BUSINESS WITH THE COMMITTEE OR BOARD FOR THE PERFORMANCE OF WHICH A SURETY MAY BE REQUIRED; TO PROVIDE THAT MEMBERSHIP ON ANY SUCH COMMITTEE OR BOARD SHALL NOT RESULT IN IT BEING UNLAWFUL FOR A MEMBER OF SUCH COMMITTEE OR BOARD TO BE A SURETY FOR PERSONS HAVING A CONTRACT, WORK OR BUSINESS WITH THE CITY FOR THE PERFORMANCE OF WHICH A SURETY MAY BE REQUIRED PROVIDED THE COMMITTEE OR BOARD DOES NOT AUTHORIZE THE SAID CONTRACT, WORK OR BUSINESS; AND TO REPEAL ALL LAWS OR PARTS OF LAWS IN CONFLICT WITH THE PROVISIONS OF THIS ACT; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THIS ACT.

VIRGIS M. ASHWORTH,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 59. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

VIRGIS M. ASHWORTH,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:20 P. M. on June 26, 1962.

H. J. R. 17

H. J. R. 18

H. 44

H. 67

H. 84

H. 92

OAKLEY MELTON, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Gilchrist the House adjourned until Wednesday,
June 27, 1962, at ten o'clock A. M.

Yeas 51; Nays 47.

Yeas:

Mr. Speaker	Copeland	Johnson (J. T. Tom)	Ray
Adams	Cornett	Johnston (Leonard)	Reynolds (Madison)
Albea	Engel	Jones (Covington)	Roberts
Bailey	Faulk	Lee	Rogers (Macon)
Bevill	Franklin	Locke	Rogers (Mobile)
Bishop	Gilchrist	McClendon (Chambers)	Salter
Brewer	Gilmer	Martin	Self
Britton	Gordon	Meade	Smith (Russell)
Broadfoot	Grouby	Merrill	Smith (St. Clair)
Callahan	Hain	Murphy	Sullivan
Camp	Hanby	Nichols	Thomas
Casey	Hardy	Oden	Turnham
Chambers	Jenkins	Pierce	

—51

Nays:

Messrs.	Dodd	Ingram	Pruitt
Avery	Dunn	Johnson (Hardaway)	Ramey
Barnett	Ferguson	Long (Lauderdale)	Rast
Bassett	Ford	Long (Perry)	Sessions
Brannan	Glass	McCorquodale	Shumate
Branyon	Goodwyn	McLendon (Bullock)	Solomon
Brooks	Grant	Morrow	Sorrell
Cabiness	Gross	Nettles	Speaks
Cates	Hankins	Oakley	Steagall
Cook	Harris	Owens	Taylor
Daniel	Harvey	Perry	Torbert
Dickson	Hawkins	Powell	Vickers

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EIGHTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, June 27, 1962

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. H. Eugene Peacock, Pastor,
Dexter Avenue Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards	Jones (Covington)	Ray
Adams	Engel	Jones (Monroe)	Reynolds (Chambers)
Albea	Faulk	Lee	Reynolds (Madison)
Avery	Ford	Locke	Roberts
Bailey	Gilchrist	Long (Lauderdale)	Rogers (Macon)
Barnett	Gilmer	Long (Perry)	Rogers (Mobile)
Bassett	Glass	McClendon (Chambers)	Salter
Bevill	Goldthwaite	McCorquodale	Self
Bishop	Goodwyn	McLendon (Bullock)	Sessions
Brannan	Gordon	Martin	Shumate
Branyon	Grant	Meade	Smith (Russell)
Brewer	Grouby	Merrill	Smith (St. Clair)
Britton	Guthrie	Morrow	Solomon
Broadfoot	Hain	Murphy	Sorrell
Cabiness	Hanby	Nettles	Speaks
Callahan	Hankins	Nichols	Steagall
Camp	Hardy	Oakley	Sullivan
Casey	Harris	Oden	Taylor
Cates	Harvey	Perry	Thomas
Cook	Hawkins	Pierce	Torbert
Cornett	Hearn	Powell	Turner
Daniel	Ingram	Pruitt	Turnham
Dickson	Jenkins	Ramey	Vickers
Dunn	Johnston (Leonard)	Rast	

—95

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Jones (Monroe) leave of absence was granted to Mr. Rozelle because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Seventh legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the Seventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Seventh legislative day was approved.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 142. To validate in certain cases elections held in any county in this State, which has a population of less than fifty thousand according to the last federal decennial census, for the purpose of authorizing a special tax for public hospital purposes under the Constitution.

H. 143. To validate in certain cases elections heretofore held in counties having populations of less than fifty thousand according to the last federal decennial census or in school districts in any of such counties for the purpose of authorizing a special tax for any school purpose, or for school purposes generally, under the Constitution.

H. 144. To validate in certain cases elections heretofore held in counties having populations of less than fifty thousand according to the last federal decennial census, or in school districts or municipalities in such counties for the purpose of authorizing any special tax under the Constitution.

H. 145. Relating to counties having populations of not less than 40,000 nor more than 45,000; to provide additional compensation for the chief deputy and all other deputy sheriffs of all such counties.

H. 151. To fix the compensation of the county solicitor of any county having a population of not less than 21,800 nor more than 21,950 according to the 1960 or any subsequent federal decennial census.

H. 152. To alter or rearrange the boundary lines of the City of Troy, Pike County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Pike County, Alabama.

H. 153. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 18,000 nor more than 19,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

H. 146. Proposing an amendment to the Constitution of Alabama relative to the rate of taxation on property in the City of Russellville for public school purposes.

The above bill was read a second time at length as required by the Constitution.

H. 149. To amend further Act No. 658, H. 1030, Regular Session 1959, an act providing for a county privilege license or excise tax on cigarettes in Madison County (Acts 1959, vol. 2, p. 1592).

H. 150. To create the office of deputy solicitor for all counties having two court houses at which any of the business of the circuit court or other court of record therein is regularly transacted from time to time and having a population of not less than 31,000 nor more than 75,000, according to the last or any subsequent federal decennial census; to fix the salary, provide for the appointment and removal, and define the powers and duties of such deputy solicitors; and to repeal all general and local laws in conflict herewith.

H. 141. Relating to Colbert County; fixing the compensation of the chairman of the board of revenue, court of county commissioners, or other like governing body of Colbert County.

Mr. Perry, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 148. To authorize the Registers of all Circuit Courts, in Counties having a population of 500,000 inhabitants or more, according to the last or any subsequent Federal Census, to destroy all documents, papers and exhibits filed in divorce cases in such Courts after the expiration of 20 years from the filing date of the final decree in such cases, and making the Minute Books and Final Record Books the official Court Record of such destroyed documents; but no authority is given herein to destroy the dockets, docket sheets, Minute Books, Final Record Books or indices in such cases.

In accordance with the ruling made on the seventh legislative day, the Speaker directed the Clerk to read the bill, S. 29, as amended, a second time at length.

And the bill:

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

As amended, was read a second time at length as required by the Constitution.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Branyon:

H. 156. To regulate the compensation and allowance of election officers of counties having populations of not less than 15,500 nor more than 16,300, according to the 1960 or any subsequent federal decennial census.

Local Legislation No. 1.

By Messrs. Hankins, Branyon, Sullivan, Cabiness, Ray and Gordon:

H. 157. Providing further for the election of state senators.

Judiciary.

Mr. Broadfoot requested that the following bill, H. 158, which he was introducing, be read a first time at length and thereafter remain on the Clerk's desk for two more readings.

And the bill:

By Mr. Broadfoot:

H. 158. Proposing a constitutional amendment.

Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Judiciary.

By Mr. Hearn:

H. 159. To provide for the compensation and expense allowance of members of the county board of education in all counties having populations of not less than 46,600 nor more than 49,050 according to the 1960 or any subsequent federal decennial census; providing for further compensation for certain other services performed for the school system in any county to which this Act applies in addition to services and duties ordinarily and customarily rendered by board members in such counties; providing for reimbursements for reasonable expenses incurred in performance of such extraordinary services; providing for the time that such increase in compensation shall become effective; and providing penalties for violation of the terms of this Act.

Local Legislation No. 1.

By Mr. Callahan:

H. 160. To amend Act No. 283, H. 561, approved August 23, 1955, which authorizes and provides for the establishment of a fund designated as the "Solicitor's Fund" for the Solicitor of the Sixth Judicial Circuit, which is drawn upon by the Circuit Solicitor of the Sixth Judicial Circuit, and provides that the Solicitor's fees taxed in all criminal proceedings in the Circuit Court of Tuscaloosa County be paid into such Fund for such purpose (1955 Acts, Volumn 1, page 649).

Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 46. To amend Section 19 of Act No. 678, H. 1364, approved September 8, 1961, General Acts of Alabama 1961, Page 952, entitled "An Act regulating the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students and apprentices; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof in all counties having a population of not less than 300,000 nor more than 500,000 inhabitants according to the last or any subsequent federal decennial census."

Also:

H. 77. To provide clerical assistance for the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000.

Also:

H. 78. Relating to counties having populations of not less than 42,000 nor more than 46,000; providing for increases in pay of deputy sheriffs of such counties.

Also:

H. 79. To authorize and provide for the payment out of the county treasury of the county composing such judicial circuit of a monthly allowance for expenses incurred in the conduct and maintenance of his office and in the proper and efficient performance and discharge of his duties to each circuit judge in every judicial circuit composed of one county having a population of not less than 42,000 nor more than 46,000 inhabitants, according to the last, or any subsequent, federal decennial census.

Also:

H. 91. Relating to counties having populations of not less than 42,000 nor more than 46,000 according to the last or any subsequent federal decennial census; to authorize county governing bodies to provide for payment of additional expense and clerk hire allowances to certain county officers.

Also:

H. 100. To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Also:

H. 11. To amend Act No. 409, H. 809, approved September 9, 1955, (Acts of Organizational—Special—Regular Sessions 1955, Vol. II, p. 954) which relates to furnishing equipment, supplies, and additional clerks to the tax assessor and the tax collector of counties having a population of not less than 30,700 nor more than 31,400 inhabitants according to the decennial census of the United States of 1950, and having two court houses and a court of county commissioners:

Relating to counties having a population not less than 30,000 nor more than 34,000 inhabitants according to the last or any subsequent decennial census of the United States, and having two court houses and a court of county commissioners; providing for the furnishing of additional clerks to the tax assessor and the tax collector of such counties.

Also:

H. 32. To confer upon the Alabama Public Service Commission exclusive authority and power to regulate the rates of and to supervise certain public utilities the operations of which are exempt, in whole or in part, from the provisions of the Alabama Motor Carrier Act of 1939, and which said utilities are engaged in business as common carriers of passengers for hire within counties having a population of 500,000 or more inhabitants according to the latest or any subsequent federal census.

Also:

H. 109. Relating to taxation in counties having populations of not less than 150,000 nor more than 300,000; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

Also:

H. 110. Relating to counties having populations of not less than 140,000 nor more than 250,000; to provide the procedure for initiating complaints under Act No. 295, Special Session, 1961, approved September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940.

Also:

H. 116. Relating to counties having populations of not less than 13,900 nor more than 14,300; providing an additional deputy sheriff for such counties whose compensation shall be payable from the county highway and traffic fund.

Also:

H. 96. Relating to Colbert County; levying additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments and additions thereto; providing for the enforcement and collection of the taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; prescribing the purposes for which such proceeds may be used; and superseding Act No. 485, H. 1049, approved August 30, 1949 (Acts 1949, p. 704), the county sales and use tax law.

Also:

H. 97. To amend further Section 2 of Act No. 131, H. 333, Regular Session 1949, an act which created and established the board of revenue for Colbert County (Acts 1949, p. 157).

Also:

H. 101. To amend Act. No. 49, H. 213, Regular Session 1957, which provides for a Chief Deputy Sheriff and other Deputies Sheriff of Elmore County and regulates their compensation, allowances, and expenses (Acts 1957, vol. I, p. 92).

Also:

H. 111. To amend the title and Section 1 of Act No. 541, H. 512, approved August 28, 1951 (Acts 1951, p. 953) which provides for the allocation of the duties of the chairman and members of the city commission in certain cities classified on a population basis.

Also:

H. 117. To apply only in counties of the state having populations of not less than 19,500 nor more than 20,000 inhabitants according to the last or any subsequent federal decennial census, to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Porter:

S. 49. Relating to counties having populations of not less than 25,700 nor more than 25,950; to alter, rearrange and extend the corporate limits of certain towns within such counties.

Also:

By Mr. Word (by request):

S. 50. To fix the time for opening and closing the polls in all counties having a population of not less than 110,000 nor more than 160,000 according to the last or any subsequent federal decennial census.

Also:

By Mr. Word (by request):

S. 52. To apply only in counties in the state having populations of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; to designate voting officials and to prescribe their duties in the conduct of all elections held in such counties.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 49. Local Legislation No. 1.

S. 50. Local Legislation No. 1.

S. 52. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Samford:

S. J. R. 5. WHEREAS, The Honorable Aubrey DeWitt Green has rendered outstanding service to this State as a member of the Legislature; and

WHEREAS Senator Green has brought honor and good will to Alabama through his participation and active leadership in the Lions Club, having served as President of the York Lions Club, as District Governor, as a member of the Board of Directors, as Third Vice President and Second Vice President of Lions International; and,

WHEREAS Senator Green has been recently elected First Vice President of Lions International, bringing further honor and prestige to this State; now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Legislature congratulates Senator Aubrey DeWitt Green on his recent election and most heartily wish him every success in his new position with Lions International.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Pruitt the rules were suspended and the House concurred in and adopted the S. J. R. 5 set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Messrs. Cates, Hanby, Pierce, Harvey, Martin, Ramey, Long (Perry), Barnett, Gordon, Ray, Thomas, Locke, Bailey and Goodwyn:

H. J. R. 20. WHEREAS, the Supreme Court of the United States has rendered an invidious opinion in declaring that the Constitution is violated by any requirement that a public school teacher lead her pupils in prayer, and

WHEREAS, Mr. Justice Hugo Black rendered the majority opinion in which it is held that it is no part of the business of government to compose official prayers for any group of American people to recite as part of a religious program carried on by government, and that it does not matter that the prayer is denominationally neutral, or that it is voluntary to recite it, and

WHEREAS, our American heritage is based on a firm foundation of freedom of religion and not freedom from religion, and

WHEREAS, a belief in a Supreme Being is so interwoven in every phase of American life that to attack this belief is to undermine our basic concepts, and

WHEREAS, this Legislative body representative of a free people was shocked and chagrined by this diabolical decision,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That this body learned with the deepest sorrow and keenest regret of the departing from the precepts of our forebears that the fear of the Lord is

the beginning of knowledge; that we do deplore this ruling of the Supreme Court of the United States; and that we do respectfully request that the Congress propose an amendment to the Constitution of the United States overriding this decision, and guaranteeing to the children of this nation the right to prayer in our schools.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the Clerk of the House of Representatives and to the Secretary of the Senate of the Congress of the United States.

On motion of Mr. Cates the rules were suspended and H. J. R. 20 was adopted.

BILLS ON THIRD READING

H. 31. To amend Act No. 343 of the legislature of Alabama of 1953, approved August 17, 1953, (Acts of Alabama of 1953, page 404 et seq.).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dunn	Jones (Covington)	Rast
Adams	Edwards	Jones (Monroe)	Ray
Alhea	Engel	Lee	Reynolds (Chambers)
Avery	Faulk	Locke	Rogers (Macon)
Bailey	Ford	Long (Perry)	Rogers (Mobile)
Barnett	Gilchrist	McClendon (Chambers)	Salter
Bassett	Gilmer	McCorquodale	Sessions
Bevill	Glass	McLendon (Bullock)	Shumate
Bishop	Gordon	Martin	Smith (Russell)
Brannan	Grant	Meade	Solomon
Branyon	Grouby	Merrill	Sorrell
Brewer	Hanby	Morrow	Speaks
Britton	Hankins	Nichols	Steagall
Cabiness	Hardy	Oakley	Sullivan
Camp	Harris	Oden	Taylor
Casey	Harvey	Perry	Thomas
Cates	Hawkins	Pierce	Turner
Cornett	Ingram	Powell	Turnham
Daniel	Jenkins	Pruitt	Vickers
Dickson	Johnston (Leonard)	Ramey	

—79

BILLS POSTPONED

On motion of Mr. Roberts, consideration of the bills, H. 118, H. 119 and H. 120, was temporarily postponed.

And the bill:

H. 136. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 25,500 nor more than 25,700 according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dunn	Jones (Monroe)	Rast
Adams	Edwards	Lee	Ray
Albea	Engel	Locke	Reynolds (Chambers)
Avery	Faulk	Long (Lauderdale)	Reynolds (Madison)
Bailey	Ford	Long (Perry)	Rogers (Macon)
Barnett	Gilchrist	McClendon (Chambers)	Rogers (Mobile)
Bassett	Gilmer	McCorquodale	Salter
Bevill	Glass	McLendon (Bullock)	Sessions
Bishop	Gordon	Martin	Shumate
Brannan	Grant	Meade	Smith (St. Clair)
Branyon	Grouby	Merrill	Solomon
Brewer	Hanby	Morrow	Sorrell
Britton	Hardy	Murphy	Speaks
Broadfoot	Harris	Nichols	Steagall
Cabiness	Harvey	Oakley	Sullivan
Camp	Hawkins	Oden	Taylor
Casey	Hearn	Perry	Thomas
Cates	Ingram	Pierce	Turner
Cornett	Johnston (Leonard)	Powell	Turnham
Daniel	Jones (Covington)	Ramey	Vickers
Dickson			

—81

And the bill:

H. 137. To amend Act No. 294, H. 707, Regular Session 1959 (Acts 1959, vol. 1, p. 863), an act levying county sales and use taxes for public school purposes in Greene County, so as to provide an exemption from such taxes to any person, firm, or corporation establishing a manufacturing, compounding, processing or other industrial plant, mine or quarry within the county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Cabiness	Gilmer	Ingram
Adams	Camp	Glass	Johnston (Leonard)
Albea	Casey	Goldthwaite	Jones (Covington)
Avery	Cates	Gordon	Jones (Monroe)
Bailey	Cornett	Grant	Lee
Barnett	Daniel	Grouby	Locke
Bassett	Dickson	Hanby	Long (Lauderdale)
Bishop	Dunn	Hankins	McClendon (Chambers)
Brannan	Edwards	Hardy	McCorquodale
Branyon	Engel	Harris	McLendon (Bullock)
Brewer	Faulk	Harvey	Martin
Britton	Ford	Hawkins	Meade
Broadfoot	Gilchrist	Hearn	Merrill

Murphy	Ramey	Sessions	Sullivan
Nichols	Rast	Smith (Russell)	Taylor
Oakley	Ray	Smith (St. Clair)	Thomas
Oden	Reynolds (Chambers)	Solomon	Torbert
Perry	Reynolds (Madison)	Sorrell	Turner
Pierce	Rogers (Macon)	Speaks	Turnham
Powell	Rogers (Mobile)	Steagall	Vickers
Pruitt	Salter		

—82

H. 140 POSTPONED

On motion of Mr. Bevill, consideration of the bill, H. 140, was temporarily postponed.

And the bill:

S. 32. To designate certain areas of Mobile Bay for the taking of seed oysters.

Was read a third time at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dunn	Jones (Covington)	Rast
Adams	Edwards	Jones (Monroe)	Ray
Albee	Engel	Lee	Reynolds (Madison)
Avery	Faulk	Locke	Rogers (Macon)
Bailey	Ford	Long (Perry)	Rogers (Mobile)
Barnett	Gilchrist	McClendon (Chambers)	Salter
Bassett	Gilmer	McCorquodale	Sessions
Bevill	Glass	McLendon (Bullock)	Shumate
Bishop	Goldthwaite	Meade	Smith (Russell)
Brannan	Gordon	Merrill	Smith (St. Clair)
Branyon	Grant	Morrow	Solomon
Brewer	Grouby	Murphy	Sorrell
Britton	Hankins	Nichols	Speaks
Broadfoot	Hardy	Oakley	Steagall
Cabiness	Harris	Oden	Sullivan
Camp	Harvey	Perry	Taylor
Casey	Hawkins	Pierce	Thomas
Cates	Hearn	Powell	Turner
Cornett	Ingram	Pruitt	Turnham
Daniel	Johnston (Leonard)	Ramey	Vickers
Dickson			

—81

And the bill:

S. 36. Relating to counties having populations of not less than 140,000 nor more than 250,000; to provide the procedure for initiating complaints under Act No. 295, Special Session, 1961, approved September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dunn	Jones (Covington)	Rast
Adams	Edwards	Jones (Monroe)	Ray
Albea	Engel	Lee	Reynolds (Madison)
Avery	Faulk	Locke	Rogers (Macon)
Bailey	Ford	Long (Lauderdale)	Rogers (Mobile)
Barnett	Gilchrist	Long (Perry)	Salter
Bassett	Gilmer	McClendon (Chambers)	Sessions
Bevill	Glass	McCorquodale	Shumate
Bishop	Goldthwaite	McLendon (Bullock)	Smith (Russell)
Brannan	Goodwyn	Meade	Smith (St. Clair)
Branyon	Gordon	Merrill	Solomon
Brewer	Grouby	Morrow	Sorrell
Britton	Hain	Murphy	Speaks
Broadfoot	Hankins	Nichols	Steagall
Cabiness	Hardy	Oakley	Sullivan
Camp	Harris	Oden	Taylor
Casey	Harvey	Perry	Thomas
Cates	Hawkins	Pierce	Torbert
Cornett	Hearn	Powell	Turner
Daniel	Ingram	Pruitt	Turnham
Dickson	Johnston (Leonard)	Ramey	Vickers

—84

BILLS POSTPONED

On motion of Mr. Callahan, consideration of the bill, S. 37, was temporarily postponed.

On motion of Mr. Bevill, consideration of the bill, H. 60, and pending amendment, was postponed until the next legislative day.

And the bill:

H. 120. To provide further for the compensation of election officials in each county having a population of not less than 110,000 nor more than 160,000, according to the 1960 or any subsequent federal decennial census.

Was taken up.

Mr. Roberts offered the following substitute for the bill, H. 120:

A BILL TO BE ENTITLED AN ACT

To provide further for the compensation of election officials in each county having a population of not less than 110,000 nor more than 160,000, according to the 1960 or any subsequent federal decennial census.

Be It Enacted by the Legislature of Alabama:

Section 1. In each county having a population of not less than 110,000 nor more than 160,000 according to the 1960 or any subsequent

federal decennial census the compensation of the election officials shall be \$4.00 per day which in the case of a municipal election shall be paid out of the general funds of the municipality, and in all other elections shall be paid out of the county treasury, and shall be paid from county funds only and for which there shall be no reimbursement, in any county to which this Act may apply, provided that in all elections, payment shall be made only on proper proof of the service rendered. This compensation is in addition to all compensation otherwise provided by law.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Edwards	Jones (Monroe)	Ray
Adams	Engel	Lee	Reynolds (Chambers)
Albea	Faulk	Locke	Reynolds (Madison)
Avery	Ford	Long (Lauderdale)	Roberts
Bailey	Gilchrist	Long (Perry)	Rogers (Macon)
Barnett	Gilmer	McClendon (Chambers)	Rogers (Mobile)
Bassett	Glass	McLendon (Bullock)	Salter
Bevill	Goldthwaite	Martin	Sessions
Bishop	Gordon	Meade	Smith (Russell)
Brannan	Grouby	Merrill	Smith (St. Clair)
Branyon	Hain	Morrow	Solomon
Brewer	Hanby	Murphy	Sorrell
Britton	Hankins	Nettles	Speaks
Broadfoot	Hardy	Nichols	Steagall
Cabiness	Harris	Oakley	Sullivan
Camp	Harvey	Oden	Taylor
Casey	Hawkins	Perry	Thomas
Cates	Hearn	Pierce	Torbert
Cook	Ingram	Powell	Turner
Cornett	Johnston (Leonard)	Pruitt	Turnham
Daniel	Jones (Covington)	Ramey	Vickers

—84

And said bill, H. 120, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Avery	Bassett	Brannan
Adams	Bailey	Bevill	Branyon
Albea	Barnett	Bishop	Brewer

Britton	Grouby	McCorquodale	Roberts
Broadfoot	Hain	McLendon (Bullock)	Rogers (Macon)
Cabiness	Hanby	Martin	Rogers (Mobile)
Camp	Hankins	Meade	Salter
Casey	Hardy	Merrill	Sessions
Cates	Harris	Morrow	Smith (Russell)
Cornett	Harvey	Murphy	Solomon
Daniel	Hawkins	Nettles	Sorrell
Edwards	Hearn	Nichols	Speaks
Engel	Ingram	Oakley	Steagall
Faulk	Johnston (Leonard)	Oden	Sullivan
Ford	Jones (Covington)	Perry	Taylor
Gilchrist	Jones (Monroe)	Pierce	Thomas
Gilmer	Lee	Powell	Torbert
Glass	Locke	Pruitt	Turner
Goldthwaite	Long (Lauderdale)	Ramey	Turnham
Gordon	Long (Perry)	Ray	Vickers
Grant	McClendon (Chambers)	Reynolds (Madison)	

—83

And the bill:

H. 118. To apply only in counties in the state having populations of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; to designate voting officials and to prescribe their duties in the conduct of all elections held in such counties.

Was taken up.

Mr. Roberts offered the following substitute for the bill, H. 118:

A BILL
TO BE ENTITLED
AN ACT

To apply only in counties in the state having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in counties of the state having a population of not less than 110,000 nor more than 160,000 inhabitants according to the last or any subsequent federal decennial census. Unless a contrary intent appears from the context, as used herein, the word "county" means any county to which this Act applies; the phrase "county governing body" means the court of county commissioners, board of revenue, or other like governing body of any such county; the word "election" means any general, special, or primary election held in the

county, including a district, municipal, county, state or federal election; and the term "voting center" means any place in the county which the county governing body designates as a place where a voting machine or voting machines will be maintained or operated at elections.

Section 2. (a) Subject to the provisions of subsection (b), when the use of voting machines at elections in the county has been, or shall hereafter be authorized, the county governing body of the county shall have the authority to designate a voting center or voting centers in the county. The order so designating voting centers shall state (1) the location of the voting center and (2) the boundaries of the territory in which electors shall reside to be entitled to vote at said voting center. A copy of this order shall be posted at the courthouse door of each county to which this Act applies. The limitations prescribed by law as to the number of electors who may reside in a voting district shall not apply to a territory designated hereunder. All of the territory designated for a voting center shall be located in the same precinct; and the voting center designated therefor shall be located in the territory. The county governing body may by order abolish a voting territory and discontinue the voting center therein, or may extend or restrict the boundaries of such voting territory and retain the voting center therein, or may subdivide such voting territory and designate an additional voting center therein provided, however, that no such changes shall be made within ninety days of any election.

(b) Except as herein expressly provided, in designating voting centers and the territory for which they were established, the county governing body shall be subject to all other laws applicable to the governing body of a county, regarding the change or establishment of the districts of a precinct, including but not limited to the provisions of Article 6, Chapter 1, Title 17, Code of Alabama 1940, as amended.

Section 3. The voting list of any territory which is furnished the election officers serving at the voting center designated for such territory shall contain the names of all qualified electors of the territory on a single roll. Except as herein otherwise provided, the laws applicable to the preparation, distribution, publication and checking of lists of qualified voters shall apply to the list of qualified voters of a territory for which a voting center has been established by the county governing body pursuant to authority hereby conferred.

No electors shall vote at any voting center other than the voting center of the territory of which he is a qualified elector, but any elector whose name appears on the qualified voters list at a voting center may vote on any voting machine maintained at such voting center, upon presentation of the identification card issued to him by an election officer serving at such voting center.

Section 4. The city governing body in the case of municipal elections and the county governing body in all other elections shall determine the number of voting machines deemed necessary to serve adequately the voters at an election, taking into consideration the nature or character of the election; provided, however, that at each election there shall be maintained at each voting center at least one voting machine for each six hundred registered electors, or fraction thereof, residing in the territory served by the voting center designated for said territory. At least twenty days prior to the time when the election officers for an election are required to be appointed, the county governing body shall in writing inform the officers whose duty it is to appoint said election officers of the number of voting machines which will be maintained at the respective voting centers during the forthcoming election; and the officers whose duty it is to appoint

election officers shall appoint the number of election officers for the respective voting centers required hereby to conduct elections in which the number of voting machines, shown in the statement of the county governing body, will be maintained.

Section 5. For each voting center there shall be appointed one inspector, one assistant inspector, one chief clerk and one first assistant clerk. In addition, two assistant clerks shall be appointed for each voting machine at any given polling place when more than one machine is used.

Section 6. The inspector shall be in general charge of the polling place and he shall have the duty to see that all voting machines are enclosed inside a barrier which shall be provided by the authority in charge of the election. It shall be the further duty of the inspector to arrange the barrier so as to provide a single opening adjacent to the position of chief clerk and first assistant clerk; to see that no one is inside the barrier at any one time other than the election officials, a single person inside each voting machine, and a single person in a waiting position outside each voting machine. It shall be the further duty of the inspector to supervise the performance of the duties of the other election officials as hereinafter provided.

Section 7. The chief clerk shall check off the list of qualified voters the name of each person as he is permitted to enter the voting area. The voter shall be issued a voter identification card which shall be presented to the assistant clerk in charge of the voting machine and surrendered to him before the voter enters the voting machine. The identification cards shall each have printed on them the words "voter identification card", and the same shall contain a space in which shall be entered the name of the elector and the initials of the election officer who delivers the card. Identification cards shall be procured by the same officer who procures other election supplies and shall be paid for from the same funds that the cost of other election supplies are paid. The assistant clerk in charge of the voting machine shall require that each voter sign at the machine a poll list before he is allowed to enter the machine to vote. The inspector shall certify on each statement of canvass form the total number of persons voting on each voting machine as shown by the public counter and the total number of electors names checked off the list of qualified voters and recorded on the poll list by election officials at the voting place. The statements of canvass as required by law shall be made for each voting machine. A separate poll list of persons casting challenged votes shall be kept by the officials and separate returns for the challenged vote shall be made in the same number as required by law to be made of other statements of canvass. The returns on challenged ballots shall state the number of the voting machine in which the challenged ballots and copies of challenged oaths are placed.

Section 8. It shall be the duty of all election officials to see that order is maintained in the polling place, that all persons waiting in line remain outside the barrier until a waiting place at one of the voting machines is vacant, and to see that only persons authorized by law to do so enter the polling area inside the barrier which encloses the voting machines. The inspector shall see that the returns are filled out for each voting machine as required by law and that the records of the election relating to each machine are enclosed respectively in each machine, and that the list of qualified voters, challenged ballots, and one copy of each challenged oath and any other records relating to the election in general are enclosed in an appropriate voting machine.

Section 9. The polls shall be opened at each place of voting in each precinct at the hour of eight o'clock in the morning and shall be kept open

without intermission or adjournment until the hour of six-thirty o'clock in the evening. Any qualified elector in each county to which this Act applies who is entitled to vote at such voting places and who has properly identified himself with the polling officials at such polling place by the time checked for closing shall be allowed to cast his ballot.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. The provisions of this Act shall be supplemental to other laws regulating the designating of voting places and the division of voting precincts into voting districts and shall be construed in pari materia with such laws but such provisions of these laws as conflict with this Act are hereby repealed.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Faulk	Jones (Monroe)	Ramey
Adams	Ford	Lee	Rast
Albea	Gilchrist	Locke	Ray
Avery	Gilmer	Long (Lauderdale)	Reynolds (Madison)
Bailey	Glass	Long (Perry)	Roberts
Barnett	Goldthwaite	McClendon (Chambers)	Rogers (Macon)
Bassett	Gordon	McCorquodale	Rogers (Mobile)
Bevill	Grant	McLendon (Bullock)	Salter
Bishop	Grouby	Martin	Sessions
Brannan	Hain	Meade	Smith (Russell)
Branyon	Hanby	Merrill	Solomon
Brewer	Hankins	Morrow	Sorrell
Britton	Hardy	Murphy	Speaks
Broadfoot	Harris	Nettles	Steagall
Cabiness	Harvey	Nichols	Sullivan
Camp	Hawkins	Oakley	Taylor
Casey	Hearn	Oden	Thomas
Cates	Ingram	Perry	Torbert
Cornett	Johnson (J. T. Tom)	Pierce	Turner
Daniel	Johnston (Leonard)	Powell	Turnham
Edwards	Jones (Covington)	Pruitt	Vickers
Engel			

—85

And said bill, H. 118, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Albea	Bailey	Bassett
Adams	Avery	Barnett	Bevill

Bishop	Gordon	McClendon (Chambers)	Reynolds (Chambers)
Brannan	Grant	McCorquodale	Reynolds (Madison)
Branyon	Grouby	McLendon (Bullock)	Roberts
Brewer	Hain	Martin	Rogers (Macon)
Britton	Hanby	Meade	Rogers (Mobile)
Broadfoot	Hankins	Merrill	Salter
Cabiness	Hardy	Morrow	Sessions
Camp	Harris	Murphy	Smith (Russell)
Casey	Harvey	Nettles	Solomon
Cates	Hawkins	Nichols	Sorrell
Cornett	Hearn	Oakley	Speaks
Daniel	Ingram	Oden	Steagall
Edwards	Johnston (Leonard)	Perry	Sullivan
Engel	Jones (Covington)	Pierce	Taylor
Faulk	Jones (Monroe)	Powell	Thomas
Ford	Lee	Pruitt	Torbert
Gilchrist	Locke	Ramey	Turner
Gilmer	Long (Lauderdale)	Rast	Turnham
Glass	Long (Perry)	Ray	Vickers
Goldthwaite			

—85

And the bill:

H. 140. Relating to clerks of the circuit courts in each county having a population of not less than 51,000 nor more than 56,000 inhabitants according to the most recent or any subsequent decennial federal census; providing that such clerks shall be ex officio clerks of the inferior courts in each county to which this Act applies, and providing that such clerks shall be entitled to a certain fee for each case docketed.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Edwards	Jones (Monroe)	Ray
Adams	Engel	Lee	Reynolds (Chambers)
Albea	Faulk	Locke	Reynolds (Madison)
Avery	Ford	Long (Lauderdale)	Roberts
Bailey	Gilmer	Long (Perry)	Rogers (Macon)
Barnett	Glass	McClendon (Chambers)	Rogers (Mobile)
Bassett	Goldthwaite	McCorquodale	Salter
Bevill	Gordon	McLendon (Bullock)	Sessions
Bishop	Grant	Martin	Smith (Russell)
Brannan	Grouby	Meade	Smith (St. Clair)
Branyon	Guthrie	Merrill	Solomon
Brewer	Hain	Morrow	Sorrell
Britton	Hanby	Murphy	Speaks
Cabiness	Hankins	Nettles	Steagall
Camp	Hardy	Nichols	Sullivan
Casey	Harris	Oakley	Taylor
Cates	Harvey	Oden	Thomas
Cook	Hawkins	Pierce	Torbert
Cornett	Hearn	Powell	Turner
Daniel	Ingram	Pruitt	Turnham
Dickson	Johnston (Leonard)	Ramey	Vickers
Dunn	Jones (Covington)	Rast	

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ADJOURNMENT

On motion of Mr. Reynolds (Chambers) the House adjourned until Thursday, June 28, 1962, at twelve o'clock, noon.

NINTH DAY

House of Representatives
Montgomery, Alabama
Thursday, June 28, 1962

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Royce Ballard, Educational Director, First Baptist Church, Prattville, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards	Johnson (J. T. Tom)	Ramey
Adams	Engel	Johnston (Leonard)	Rast
Albea	Faulk	Jones (Covington)	Ray
Avery	Ferguson	Jones (Monroe)	Reynolds (Chambers)
Bailey	Ford	Lee	Reynolds (Madison)
Barnett	Franklin	Locke	Roberts
Bassett	Gilchrist	Long (Lauderdale)	Rogers (Macon)
Bevill	Gilmer	Long (Perry)	Rogers (Mobile)
Bishop	Glass	McClendon (Chambers)	Salter
Brannan	Goldthwaite	McCorquodale	Self
Branyon	Goodwyn	McLendon (Bullock)	Sessions
Brewer	Grant	Martin	Shumate
Britton	Gross	Meade	Smith (Russell)
Broadfoot	Grouby	Merrill	Smith (St. Clair)
Brooks	Guthrie	Morrow	Solomon
Cabiness	Hain	Murphy	Sorrell
Callahan	Hanby	Nettles	Speaks
Camp	Hankins	Nichols	Steagall
Casey	Hardy	Oakley	Sullivan
Cates	Harris	Oden	Taylor
Cook	Harvey	Owens	Thomas
Cornett	Hawkins	Perry	Torbert
Daniel	Hearn	Pierce	Turner
Dickson	Ingram	Powell	Turnham
Dodd	Jenkins	Pruitt	Vickers
Dunn			

A quorum was present.

LEAVES OF ABSENCE

On motion of Mr. Jones (Monroe) leave of absence was granted to Mr. Rozelle because of personal illness.

On motion of Mr. Hanby leave of absence was granted to Mr. Copeland because of a death in his family.

On motion of Mr. Smith (Russell) leave of absence was granted to Mr. Gordon because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eighth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the eighth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the eighth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 31. To authorize and provide for the creation of a public corporation in each county of the state which has a population of at least 250,000, but not more than 500,000 according to the last or any subsequent federal decennial census, to provide for, promote and encourage education on a college or university level and cultural and scientific opportunities for the inhabitants of the county; to provide for the selection of the members and board of directors thereof; to authorize and direct such board to become a public corporation; to prescribe the manner of effecting such corporation; to authorize and empower the corporation to enter into agreements with public educational bodies or any governmental agency or body for the purpose of carrying out its functions; to provide for the powers of such corporation, its continuation and dissolution; and to provide for the transfer to any corporation formed hereunder of the rights, powers, duties and assets of certain other public corporations, which are hereby abolished.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolution, your signature thereto is requested:

S. 32. To designate certain areas of Mobile Bay for the taking of seed oysters.

Also:

S. 36. Relating to counties having populations of not less than 140,000 nor more than 250,000; to provide the procedure for initiating complaints under Act No. 295, Special Session, 1961, approved September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940.

Also:

S. J. R. 5. Congratulating Senator Aubrey DeWitt Green on his recent election with Lions International.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolution, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 76. To permit any bank or branch bank doing business in Colbert County to establish in the City of Muscle Shoals, Alabama, one branch bank, branch agency, additional office or branch place of business in addition to all other branches, agencies, offices or places of business authorized by law, subject to the approval of the State Superintendent of Banks.

Also:

H. 99. To provide an allowance for expenses to the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 20. Expressing sorrow and regret of the Legislature due to the recent opinion of the Supreme Court that the Constitution is violated by any requirement that a public school teacher lead her pupils in prayer and requesting that Congress propose an amendment to the Constitution overriding this decision.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 11. To amend Act No. 409, H. 809, approved September 9, 1955, (Acts of Organizational—Special—Regular Sessions 1955, Vol. II, p. 954) which relates to furnishing equipment, supplies, and additional clerks to the tax assessor and the tax collector of counties having a population of not less than 30,700 nor more than 31,400 inhabitants according to the decennial census of the United States of 1950, and having two court houses and a court of county commissioners:

Relating to counties having a population not less than 30,000 nor more than 34,000 inhabitants according to the last or any subsequent decennial census of the United States, and having two court houses and a court of county commissioners; providing for the furnishing of additional clerks to the tax assessor and the tax collector of such counties.

Also:

H. 32. To confer upon the Alabama Public Service Commission exclusive authority and power to regulate the rates of and to supervise certain public utilities the operations of which are exempt, in whole or in part, from the provisions of the Alabama Motor Carrier Act of 1939, and which said utilities are engaged in business as common carriers of passengers for hire within counties having a population of 500,000 or more inhabitants according to the latest or any subsequent federal census.

Also:

H. 46. The amend Section 19 of Act No. 678, H. 1364, approved September 8, 1961, General Acts of Alabama 1961, Page 952, entitled "An Act regulating the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students and apprentices; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof in all counties

having a population of not less than 300,000 nor more than 500,000 inhabitants according to the last or any subsequent federal decennial census."

Also:

H. 77. To provide clerical assistance for the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000.

Also:

H. 78. Relating to counties having populations of not less than 42,000 nor more than 46,000; providing for increases in pay of deputy sheriffs of such counties.

Also:

H. 79. To authorize and provide for the payment out of the county treasury of the county composing such judicial circuit of a monthly allowance for expenses incurred in the conduct and maintenance of his office and in the proper and efficient performance and discharge of his duties to each circuit judge in every judicial circuit composed of one county having a population of not less than 42,000 nor more than 46,000 inhabitants, according to the last, or any subsequent, federal decennial census.

Also:

H. 91. Relating to counties having populations of not less than 42,000 nor more than 46,000 according to the last or any subsequent federal decennial census; to authorize county governing bodies to provide for payment of additional expense and clerk hire allowances to certain county officers.

Also:

H. 96. Relating to Colbert County; levying additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments and additions thereto; providing for the enforcement and collection of the taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; prescribing the purposes for which such proceeds may be used; and superseding Act No. 485, H. 1049, approved August 30, 1949 (Acts 1949, p. 704), the county sales and use tax law.

Also:

H. 97. To amend further Section 2 of Act No. 131, H. 333, Regular Session 1949, an act which created and established the board of revenue for Colbert County (Acts 1949, p. 157).

Also:

H. 100. To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Also:

H. 101. To amend Act. No. 49, H. 213, Regular Session 1957, which provides for a Chief Deputy Sheriff and other Deputies Sheriff of Elmore County and regulates their compensation, allowances, and expenses (Acts 1957, vol. I, p. 92).

Also:

H. 109. Relating to taxation in counties having populations of not less than 150,000 nor more than 300,000; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

Also:

H. 110. Relating to counties having populations of not less than 140,000 nor more than 250,000; to provide the procedure for initiating complaints under Act No. 295, Special Session, 1961, approved September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940.

Also:

H. 111. To amend the title and Section 1 of Act No. 541, H. 512, approved August 28, 1951 (Acts 1951, p. 953) which provides for the allocation of the duties of the chairman and members of the city commission in certain cities classified on a population basis.

Also:

H. 116. Relating to counties having populations of not less than 13,900 nor more than 14,300; providing an additional deputy sheriff for such counties whose compensation shall be payable from the county highway and traffic fund.

Also:

H. 117. To apply only in counties of the state having populations of not less than 19,500 nor more than 20,000 inhabitants according to the last or any subsequent federal decennial census, to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 76. To permit any bank or branch bank doing business in Colbert County to establish in the City of Muscle Shoals, Alabama, one branch bank, branch agency, additional office or branch place of business in addition to all other branches, agencies, offices or places of business authorized by law, subject to the approval of the State Superintendent of Banks.

Also:

H. 99. To provide an allowance for expenses to the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000.

Also:

H. J. R. 20. Relative to the right of prayer in public schools.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Gilchrist, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 130. (with substitute). To provide further for nominations by political parties of candidates for the legislature to be elected in the general election in November 1962 in the event the legislature is reapportioned; authorizing, providing for and regulating a special primary election under certain conditions for the purpose of nominating such candidates and confirming and continuing certain nominations made in the primary elections in May 1962.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 138. To fix a minimum salary for school bus drivers employed by the county superintendent of education or county board of education in any county having a population of not less than 22,500 nor more than 24,550.

H. 156. To regulate the compensation and allowance of election officers of counties having populations of not less than 15,500 nor more than 16,300, according to the 1960 or any subsequent federal decennial census.

H. 159. To provide for the compensation and expense allowance of members of the county board of education in all counties having populations of not less than 46,600 nor more than 49,050 according to the 1960 or any subsequent federal decennial census; providing for further compensation for certain other services performed for the school system in any county to which this Act applies in addition to services and duties ordinarily and customarily rendered by board members in such counties; providing for reimbursements for reasonable expenses incurred in performance of such extraordinary services; providing for the time that such increase in compensation shall become effective; and providing penalties for violation of the terms of this Act.

H. 160. To amend Act No. 283, H. 561, approved August 23, 1955, which authorizes and provides for the establishment of a fund designated as the "Solicitor's Fund" for the Solicitor of the Sixth Judicial Circuit, which is drawn upon by the Circuit Solicitor of the Sixth Judicial Circuit, and provides that the Solicitor's fees taxed in all criminal proceedings in the Circuit Court of Tuscaloosa County be paid into such Fund for such purpose (1955 Acts, Volumn 1, page 649).

S. 49. Relating to counties having populations of not less than 25,700 nor more than 25,950; to alter, rearrange and extend the corporate limits of certain towns within such counties.

S. 50. To fix the time for opening and closing the polls in all counties having a population of not less than 110,000 nor more than 160,000 according to the last or any subsequent federal decennial census.

S. 52. To apply only in counties in the state having populations of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; to designate voting officials and to prescribe their duties in the conduct of all elections held in such counties.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Thomas and Lee:

H. 161. To amend the title to and Section 1 of Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956 (as heretofore amended), entitled, "An act relative to municipalities in this state having a population of not less than 23,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommoda-

tions to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof," so as to make said Act applicable to municipalities having a population of not less than 8,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

Local Legislation No. 1.

By Messrs. Oden, Vickers, Pierce, Johnson (J. T. Tom) and Ray:

H. 162. To authorize and direct the Alabama Education Authority to allocate and distribute a part of the earnings or income from the investment of that part of the proceeds of bonds, issued by said Authority under Act No. 126, H. 15, Second Special Session 1959 (Acts 1959, p. 369), not currently needed for the purpose for which such bonds were issued, to the board of trustees of the junior college located in Franklin County; to the county board of education of Tallapoosa County; and to the Alabama Industrial School for Negro Children; and to provide for the use of such money for school building purposes at each of the above named schools upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959 Second Special Session, p. 369.

State Administration.

By Mr. Turner:

H. 163. To amend the revenue law; redefining certain terms used in administering state sales and use tax statutes; repealing Section 1(1) (i), Act 100, H. 94, Second Special Session 1959, and Section 787(d), Title 51, Code 1940 as amended.

State Administration.

By Mr. Murphy:

H. 164. To amend Act No. 934, H. 1268 of the Regular Session of the Legislature of 1961 (Acts 1961, p. 1506) which provides for a program of property tax equalization in any county of the state having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal decennial census, in order to prescribe the term of

service and the compensation therefor of members of the board of equalization in any such county.

Local Legislation No. 1.

By Messrs. Rogers (Mobile), Murphy and Engel:

H. 165. Relating to counties having populations of not less than 200,000 nor more than 500,000; providing for the assessment of solicitors' fees as a part of the costs of appeals from judgments rendered in certain municipal courts.

Local Legislation No. 1.

By Messrs. Long (Perry), Barnett, Jenkins, Dodd and Self:

H. 166. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Mr. Ray (with notice and proof):

H. 167. To amend Act No. 121 of the Special Session of the Legislature of Alabama of 1961, entitled "An Act To amend further Act No. 539, S. 253, approved July 23, 1931, providing for a board of education for Winston County (Local Acts of Alabama 1931, p. 257) so as to provide further for the manner of election of such board; to prescribe their term of office; and to provide for selection of a chairman of the board," approved September 15, 1961.

Local Legislation No. 1.

Notice and Proof H. 167:

LEGAL NOTICE

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at any special session held in 1962, and application made for its passage, substantially as follows, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 121 of the Special Session of the Legislature of Alabama of 1961, entitled "An Act To amend further Act No. 539, S. 253, approved July 23, 1931, providing for a board of education for Winston County (Local Acts of Alabama 1931, p. 257) so as to provide further for the manner of election of such board; to prescribe their term of office; and to provide for selection of a chairman of the board," approved September 15, 1961.

Be It Enacted by the Legislature of Alabama:

ARTICLE 1

Act No. 121 of the Special Session of the Legislature of Alabama of 1961, entitled "An Act To amend further Act No. 539, S. 253, approved

July 23, 1931, providing for a board of education for Winston County (Local Acts of Alabama 1931, p. 257) so as to provide further for the manner of election of such board; to prescribe their term of office; and to provide for selection of a chairman of the board," approved September 15, 1961, is hereby amended to read as follows:

Section 1. Section 1 of Act No. 539, S. 253, approved July 23, 1931, an act providing for a board of education for Winston County (Local Acts of Alabama 1931, p. 257), is hereby amended to read as follows:

"Section 1. There is hereby created and established a board of education for Winston County to be composed of five members, who shall be elected as follows:

"(1) The member of the Board elected to succeed the incumbent Irvin Batchelor shall be elected at the general election held in 1962 and every four years thereafter, by the qualified electors of Precinct No. 2 and of Box 1 of Precinct No. 10, as heretofore established under authority of law, which shall be known as area No. 1;

"(2) The member of the Board elected to succeed the incumbent Curtis Frazier shall be elected at the general election held in 1962 and every four years thereafter, by the qualified electors of Precinct No. 3 and of Box 2 of Precinct No. 10, as heretofore established under authority of law, which shall be known as area No. 2;

"(3) The member of the Board elected to succeed the incumbent Willis M. Bailey shall be elected at the general election held in 1964, and every four years thereafter, by the qualified electors of Precincts Nos. 1, 4, and 11, as heretofore established under authority of law, which shall be known as area No. 3;

"(4) The member of the Board elected to succeed the incumbent Clell Isbell shall be elected at the general election held in 1964 and every four years thereafter, by the qualified electors of Precincts Nos. 6, 7, and 8, as heretofore established under authority of law, which shall be known as area No. 4;

"(5) The member of the Board elected to succeed the incumbent Bruce McLarty shall be elected at the general election held in 1962 and every four years thereafter, by the qualified electors of Precincts Nos. 5 and 9, as heretofore established under authority of law, which shall be known as area No. 5.

"The members shall take office on the first Monday after the second Tuesday in January after their election. The board of education shall select from among its members a president who shall serve as president for two years and who shall be entitled to vote as any other member of the board. The areas described in this section shall not be deemed or construed to be school districts.

"Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

ARTICLE 2

This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WINSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jay Thornton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Northwest Alabamian, a newspaper of general circulation published in Haleyville, Winston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, June 15, June 22, and June 26, all in the year 1962.

JAY THORNTON.

Sworn to and subscribed before me June 26, 1962.

R. J. THORNTON,
Title Notary Public.

By Mr. Ray (with notice and proof):

H. 168. To further provide for the election of a County Superintendent of Education of Winston County, Alabama, by the qualified voters thereof; to prescribe and fix the duties, qualifications, term of office, and compensation of such Superintendent, and to provide for the filling of vacancies in said office.

Local Legislation No. 1.

Notice and Proof H. 168:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF WINSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama at any special session called for 1962 and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To further provide for the election of a County Superintendent of Education of Winston County, Alabama, by the qualified voters thereof; to prescribe and fix the duties, qualifications, term of office, and compensation of such Superintendent, and to provide for the filling of vacancies in said office.

Be It Enacted by the Legislature of Alabama:

Section 1. At the general election for the year 1964, and every four years thereafter, there shall be elected a County Superintendent of Education for Winston County, Alabama, by the qualified voters of said county.

He shall hold office for a term of four years from the first Monday in July next succeeding his election, and until a successor is elected and qualified.

Section 2. Candidates for the office of such Superintendent of Education may be nominated by political parties in the same manner as candidates for other county offices are nominated under the laws of Alabama. Each candidate for election to such office shall be a qualified voter of Winston County, Alabama.

Section 3. No person shall be eligible for election or appointment to the office of County Superintendent of Education of Winston County, Alabama, who does not submit proof to the State Superintendent of Education.

(1) that he possesses all of the qualifications required under the general laws of Alabama for county superintendents of education; and,

(2) that he holds a Class A, Rank I (or higher) superintendent-principal professional certificate in administration and supervision based upon requirements established by the State Board of Education for such certificate.

Section 4. In the event of a vacancy in the office of County Superintendent of Education of Winston County, such vacancy shall be filled as provided by general law; provided, however, that the person chosen to fill such vacancy shall meet the requirements prescribed by section 3 of this Act.

Section 5. The County Superintendent of Education of Winston County shall devote his entire time to the public school business of Winston County. He shall perform and discharge all of the duties of county superintendents of education under the general laws of Alabama.

Section 6. The County Superintendent of Education of Winston County shall be entitled to receive a salary of seven thousand five hundred dollars (\$7,500) per annum. The salary of the superintendent shall be paid in the same manner as is provided by the general laws of Alabama for the payment of salaries of county superintendents of education. In addition to the salary authorized by this Act, the county board of education of Winston County is empowered to fix, approve, and authorize the payment of traveling expenses, not in excess of one thousand dollars (\$1,000) annually, actually incurred by the county superintendent of education in the performance of his official duties both within and without the county.

Section 7. Nothing in this Act shall be construed to abridge the term of office of the incumbent County Superintendent of Education of Winston County or to alter his compensation or allowances.

Section 8. If any section, sentence, clause, or provision of this act shall be declared unconstitutional or invalid, it shall not affect the validity of any remaining section, sentence, clause, or provision hereof. If any specific application of any section, sentence, clause, or provision of this act shall be declared unconstitutional or invalid, it shall not affect the validity of such sections, sentence, clause, or provision as to any other specific application not in and of itself unconstitutional or invalid.

Section 9. All laws and parts of laws in conflict with the provisions of this Act are, to the extent of such conflict, hereby repealed.

Section 10. This Act shall become effective upon its passage and approval or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WINSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jay Thornton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Northwest Alabamian, a newspaper of general circulation published in Haleyville, Winston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, June 15, June 22, and June 26, all in the year 1962.

JAY THORNTON.

Sworn to and subscribed before me June 26, 1962.

R. J. THORNTON,
Title Notary Public.

By Mr. Bishop:

H. 169. To provide for additional meetings of boards of registrars in counties having populations of not less than 46,475 nor more than 48,000 inhabitants.

Local Legislation No. 1.

BILLS ON THIRD READING
H. 119 INDEFINITELY POSTPONED

On motion of Mr. Roberts, the bill, H. 119, was indefinitely postponed.

And the bill:

S. 37. To Fix the Salary of Deputy Circuit Solicitor No. 2 of the Sixth Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 89; Nays 1.

Yeas:

Mr. Speaker	Bishop	Cates	Faulk
Adams	Brannan	Cook	Ferguson
Albea	Branyon	Cornett	Ford
Avery	Britton	Daniel	Franklin
Bailey	Brooks	Dickson	Glass
Barnett	Cabiness	Dodd	Goldthwaite
Bassett	Camp	Edwards	Goodwyn
Bevill	Casey	Engel	Grant

Gross	Jones (Monroe)	Oden	Shumate
Grouby	Lee	Perry	Smith (Russell)
Hain	Locke	Pierce	Smith (St. Clair)
Hanby	Long (Lauderdale)	Powell	Solomon
Hankins	Long (Perry)	Ramey	Sorrell
Hardy	McClendon (Chambers)	Rast	Speaks
Harris	McCorquodale	Ray	Steagall
Harvey	McLendon (Bullock)	Reynolds (Chambers)	Sullivan
Hawkins	Martin	Reynolds (Madison)	Taylor
Hearn	Merrill	Rogers (Macon)	Thomas
Ingram	Murphy	Rogers (Mobile)	Torbert
Jenkins	Nettles	Salter	Turner
Johnson (J. T. Tom)	Nichols	Self	Turnham
Johnston (Leonard)	Oakley	Sessions	Vickers
Jones (Covington)			

—89

Nay:

Mr. Callahan

—1

And the bill:

H. 142. To validate in certain cases elections held in any county in this State, which has a population of less than fifty thousand according to the last federal decennial census, for the purpose of authorizing a special tax for public hospital purposes under the Constitution.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Edwards	Jones (Covington)	Rast
Adams	Engel	Jones (Monroe)	Ray
Albea	Faulk	Lee	Reynolds (Chambers)
Avery	Ferguson	Locke	Reynolds (Madison)
Bailey	Ford	Long (Lauderdale)	Rogers (Macon)
Barnett	Franklin	Long (Perry)	Rogers (Mobile)
Bassett	Glass	McClendon (Chambers)	Salter
Bevill	Goldthwaite	McCorquodale	Self
Bishop	Goodwyn	McLendon (Bullock)	Shumate
Brannan	Grant	Meade	Smith (Russell)
Branyon	Gross	Merrill	Smith (St. Clair)
Britton	Grouby	Morrow	Solomon
Broadfoot	Hain	Murphy	Sorrell
Brooks	Hanby	Nettles	Speaks
Cabiness	Hankins	Nichols	Steagall
Camp	Hardy	Oakley	Sullivan
Casey	Harris	Oden	Taylor
Cates	Hawkins	Owens	Thomas
Cook	Hearn	Perry	Torbert
Cornett	Ingram	Pierce	Turner
Daniel	Jenkins	Powell	Turnham
Dodd	Johnson (J. T. Tom)	Pruitt	Vickers
Dunn	Johnston (Leonard)	Ramey	

—91

And the bill:

H. 143. To validate in certain cases elections heretofore held in counties having populations of less than fifty thousand according to the last federal decennial census or in school districts in any of such counties for the purpose of authorizing a special tax for any school purpose, or for school purposes generally, under the Constitution.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Faulk	Johnston (Leonard)	Ramey
Adams	Ferguson	Jones (Covington)	Rast
Albea	Ford	Jones (Monroe)	Ray
Bailey	Franklin	Lee	Reynolds (Chambers)
Barnett	Gilchrist	Locke	Reynolds (Madison)
Bassett	Glass	Long (Perry)	Rogers (Wacon)
Bevill	Goldthwaite	McClendon (Chambers)	Rogers (Mobile)
Bishop	Goodwyn	McCorquodale	Salter
Brannan	Grant	McLendon (Bullock)	Self
Branyon	Gross	Martin	Shumate
Britton	Grouby	Meade	Smith (Russell)
Broadfoot	Guthrie	Merrill	Smith (St. Clair)
Brooks	Hain	Morrow	Solomon
Cabiness	Hanby	Murphy	Sorrell
Camp	Hankins	Nettles	Speaks
Casey	Hardy	Nichols	Steagall
Cates	Harris	Oakley	Sullivan
Cook	Harvey	Oden	Taylor
Cornett	Hawkins	Owens	Thomas
Daniel	Hearn	Perry	Torbert
Dodd	Ingram	Pierce	Turner
Dunn	Jenkins	Powell	Turnham
Edwards	Johnson (J. T. Tom)	Pruitt	Vickers
Engel			

—93

And the bill:

H. 144. To validate in certain cases elections heretofore held in counties having populations of less than fifty thousand according to the last federal decennial census, or in school districts or municipalities in such counties for the purpose of authorizing any special tax under the Constitution.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Avery	Bassett	Brannan
Adams	Bailey	Bevill	Branyon
Albea	Barnett	Bishop	Britton

Broadfoot	Grant	Long (Perry)	Ray
Brooks	Gross	McClendon (Chambers)	Reynolds (Madison)
Cabiness	Grouby	McCorquodale	Rogers (Macon)
Camp	Guthrie	McLendon (Bullock)	Rogers (Mobile)
Casey	Hain	Martin	Salter
Cates	Hanby	Meade	Self
Cook	Hankins	Merrill	Shumate
Cornett	Hardy	Morrow	Smith (Russell)
Daniel	Harris	Murphy	Smith (St. Clair)
Dickson	Harvey	Nettles	Solomon
Dodd	Hawkins	Nichols	Sorrell
Dunn	Hearn	Oakley	Speaks
Edwards	Ingram	Oden	Steagall
Engel	Jenkins	Owens	Sullivan
Faulk	Johnson (J. T. Tom)	Perry	Taylor
Ferguson	Johnston (Leonard)	Pierce	Thomas
Ford	Jones (Covington)	Powell	Torbert
Franklin	Jones (Monroe)	Pruitt	Turner
Glass	Lee	Ramey	Turnham
Goldthwaite	Locke	Rast	Vickers
Goodwyn			

—93

And the bill:

H. 145. Relating to counties having populations of not less than 40,000 nor more than 45,000; to provide additional compensation for the chief deputy and all other deputy sheriffs of all such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Edwards	Jones (Covington)	Ramey
Adams	Engel	Jones (Monroe)	Rast
Albea	Ferguson	Lee	Ray
Bailey	Ford	Locke	Reynolds (Madison)
Barnett	Franklin	Long (Lauderdale)	Rogers (Macon)
Bassett	Glass	Long (Perry)	Rogers (Mobile)
Bevill	Goldthwaite	McClendon (Chambers)	Salter
Bishop	Goodwyn	McCorquodale	Self
Brannan	Grant	McLendon (Bullock)	Shumate
Branyon	Gross	Martin	Smith (Russell)
Britton	Grouby	Meade	Smith (St. Clair)
Broadfoot	Guthrie	Merrill	Solomon
Brooks	Hanby	Morrow	Sorrell
Cabiness	Hankins	Murphy	Speaks
Camp	Hardy	Nettles	Steagall
Casey	Harris	Nichols	Sullivan
Cates	Harvey	Oakley	Taylor
Cook	Hawkins	Oden	Thomas
Cornett	Hearn	Owens	Torbert
Daniel	Ingram	Perry	Turner
Dickson	Jenkins	Pierce	Turnham
Dodd	Johnson (J. T. Tom)	Powell	Vickers
Dunn	Johnston (Leonard)		

—90

And the bill:

H. 151. To fix the compensation of the county solicitor of any county having a population of not less than 21,800 nor more than 21,950 according to the 1960 or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnston (Leonard)	Ramey
Adams	Engel	Jones (Covington)	Rast
Albea	Ferguson	Jones (Monroe)	Ray
Avery	Ford	Lee	Reynolds (Chambers)
Bailey	Franklin	Locke	Reynolds (Madison)
Barnett	Glass	Long (Lauderdale)	Rogers (Macon)
Bassett	Goldthwaite	Long (Perry)	Rogers (Mobile)
Bevill	Goodwyn	McClendon (Chambers)	Salter
Bishop	Grant	McCorquodale	Self
Brannan	Gross	McLendon (Bullock)	Shumate
Branyon	Grouby	Martin	Smith (Russell)
Britton	Guthrie	Meade	Smith (St. Clair)
Broadfoot	Hain	Merrill	Solomon
Brooks	Hanby	Morrow	Sorrell
Cabiness	Hankins	Murphy	Speaks
Camp	Hardy	Nettles	Steagall
Casey	Harris	Nichols	Sullivan
Cates	Harvey	Oakley	Taylor
Cook	Hawkins	Oden	Thomas
Cornett	Hearn	Owens	Torbert
Daniel	Ingram	Perry	Turner
Dickson	Jenkins	Pierce	Turnham
Dodd	Johnson (J. T. Tom)	Powell	Vickers
Dunn			

—93

And the bill:

H. 152. To alter or rearrange the boundary lines of the City of Troy, Pike County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Pike County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bassett	Broadfoot	Cook
Adams	Bevill	Brooks	Cornett
Albea	Bishop	Cabiness	Daniel
Avery	Brannan	Camp	Dickson
Bailey	Branyon	Casey	Dodd
Barnett	Britton	Cates	Dunn

Edwards	Harvey	Morrow	Salter
Engel	Hawkins	Murphy	Self
Faulk	Hearn	Nettles	Sessions
Ferguson	Ingram	Nichols	Shumate
Ford	Jenkins	Oakley	Smith (Russell)
Franklin	Johnson (J. T. Tom)	Oden	Smith (St. Clair)
Glass	Johnston (Leonard)	Owens	Solomon
Goldthwaite	Jones (Covington)	Perry	Sorrell
Goodwyn	Jones (Monroe)	Pierce	Speaks
Grant	Lee	Powell	Steagall
Gross	Locke	Ramey	Sullivan
Grouby	Long (Perry)	Rast	Taylor
Guthrie	McClendon (Chambers)	Ray	Thomas
Hain	McCorquodale	Reynolds (Chambers)	Torbert
Hanby	McLendon (Bullock)	Reynolds (Madison)	Turner
Hankins	Martin	Rogers (Macon)	Turnham
Hardy	Meade	Rogers (Mobile)	Vickers
Harris	Merrill		

—94

And the bill:

H. 153. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 18,000 nor more than 19,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnston (Leonard)	Ramey
Adams	Engel	Jones (Covington)	Rast
Albea	Faulk	Jones (Monroe)	Ray
Avery	Ferguson	Lee	Reynolds (Chambers)
Bailey	Ford	Locke	Reynolds (Madison)
Barnett	Franklin	Long (Lauderdale)	Rogers (Macon)
Bassett	Glass	Long (Perry)	Rogers (Mobile)
Bevill	Goldthwaite	McClendon (Chambers)	Salter
Bishop	Goodwyn	McCorquodale	Self
Brannan	Grant	McLendon (Bullock)	Sessions
Branyon	Gross	Martin	Shumate
Britton	Grouby	Meade	Smith (Russell)
Broadfoot	Guthrie	Merrill	Smith (St. Clair)
Brooks	Hain	Morrow	Solomon
Cabiness	Hanby	Murphy	Sorrell
Camp	Hankins	Nettles	Speaks
Casey	Hardy	Nichols	Steagall
Cates	Harris	Oakley	Sullivan
Cook	Harvey	Oden	Thomas
Cornett	Hawkins	Owens	Torbert
Daniel	Hearn	Perry	Turner
Dickson	Ingram	Pierce	Turnham
Dodd	Jenkins	Powell	Vickers
Dunn	Johnson (J. T. Tom)		

—94

And the bill:

H. 146. Proposing an amendment to the Constitution of Alabama relative to the rate of taxation on property in the City of Russellville for public school purposes.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dunn	Johnston (Leonard)	Rast
Adams	Edwards	Jones (Covington)	Ray
Albea	Engel	Jones (Monroe)	Reynolds (Chambers)
Avery	Ferguson	Lee	Reynolds (Madison)
Bailey	Ford	Locke	Rogers (Macon)
Barnett	Franklin	Long (Perry)	Rogers (Mobile)
Bassett	Glass	McClendon (Chambers)	Salter
Bevill	Goldthwaite	McCorquodale	Self
Bishop	Goodwyn	McLendon (Bullock)	Sessions
Brannan	Grant	Martin	Shumate
Branyon	Gross	Meade	Smith (Russell)
Britton	Grouby	Merrill	Smith (St. Clair)
Broadfoot	Guthrie	Morrow	Solomon
Brooks	Hanby	Murphy	Sorrell
Cabiness	Hankins	Nettles	Speaks
Camp	Hardy	Nichols	Steagall
Casey	Harris	Oakley	Sullivan
Cates	Harvey	Oden	Taylor
Cook	Hawkins	Owens	Thomas
Cornett	Hearn	Perry	Torbert
Daniel	Ingram	Pierce	Turner
Dickson	Jenkins	Powell	Turnham
Dodd	Johnson (J. T. Tom)	Ramey	Vickers

—92

And the bill:

H. 149. To amend further Act No. 658, H. 1030, Regular Session 1959, an act providing for a county privilege license or excise tax on cigarettes in Madison County (Acts 1959, vol. 2, p. 1592).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Bishop	Cates	Engel
Adams	Branyon	Cook	Faulk
Albea	Britton	Cornett	Ford
Avery	Broadfoot	Daniel	Franklin
Bailey	Brooks	Dickson	Glass
Barnett	Cabiness	Dodd	Goldthwaite
Bassett	Camp	Dunn	Goodwyn
Bevill	Casey	Edwards	Grant

Gross	Jones (Covington)	Nichols	Shumate
Grouby	Jones (Monroe)	Oakley	Smith (Russell)
Guthrie	Lee	Oden	Smith (St. Clair)
Hain	Locke	Perry	Solomon
Hanby	Long (Lauderdale)	Pierce	Sorrell
Hankins	Long (Perry)	Powell	Speaks
Hardy	McClendon (Chambers)	Ramey	Steagall
Harris	McCorquodale	Rast	Sullivan
Harvey	McLendon (Bullock)	Ray	Taylor
Hawkins	Martin	Reynolds (Chambers)	Thomas
Hearn	Meade	Reynolds (Madison)	Torbert
Ingram	Merrill	Rogers (Macon)	Turner
Jenkins	Morrow	Rogers (Mobile)	Turnham
Johnson (J. T. Tom)	Murphy	Self	Vickers
Johnston (Leonard)	Nettles	Sessions	

—91

And the bill:

H. 150. To create the office of deputy solicitor for all counties having two court houses at which any of the business of the circuit court or other court of record therein is regularly transacted from time to time and having a population of not less than 31,000 nor more than 75,000, according to the last or any subsequent federal decennial census; to fix the salary, provide for the appointment and removal, and define the powers and duties of such deputy solicitors; and to repeal all general and local laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (J. T. Tom)	Ramey
Adams	Engel	Johnston (Leonard)	Rast
Albea	Faulk	Jones (Covington)	Ray
Avery	Ferguson	Lee	Reynolds (Chambers)
Bailey	Ford	Locke	Reynolds (Madison)
Barnett	Franklin	Long (Lauderdale)	Rogers (Macon)
Bassett	Glass	Long (Perry)	Rogers (Mobile)
Bevill	Goldthwaite	McClendon (Chambers)	Self
Bishop	Goodwyn	McCorquodale	Sessions
Brannan	Grant	McLendon (Bullock)	Shumate
Branyon	Gross	Martin	Smith (Russell)
Britton	Grouby	Meade	Smith (St. Clair)
Broadfoot	Guthrie	Merrill	Solomon
Brooks	Hain	Morrow	Sorrell
Cabiness	Hanby	Murphy	Speaks
Camp	Hankins	Nettles	Steagall
Casey	Hardy	Nichols	Sullivan
Cates	Harris	Oakley	Taylor
Cook	Harvey	Oden	Thomas
Cornett	Hawkins	Owens	Torbert
Daniel	Hearn	Perry	Turner
Dickson	Ingram	Pierce	Turnham
Dodd	Jenkins	Powell	Vickers
Dunn			

—93

And the bill:

H. 141. Relating to Colbert County; fixing the compensation of the chairman of the board of revenue, court of county commissioners, or other like governing body of Colbert County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Dunn	Jenkins	Ramey
Adams	Edwards	Johnson (J. T. Tom)	Rast
Albea	Engel	Johnston (Leonard)	Ray
Avery	Faulk	Jones (Covington)	Reynolds (Madison)
Bailey	Ferguson	Jones (Monroe)	Roberts
Barnett	Ford	Lee	Rogers (Macon)
Bassett	Franklin	Locke	Rogers (Mobile)
Bevill	Glass	Long (Perry)	Self
Bishop	Goldthwaite	McClendon (Chambers)	Sessions
Brannan	Goodwyn	McCorquodale	Shumate
Branyon	Grant	McLendon (Bullock)	Smith (Russell)
Brewer	Gross	Martin	Smith (St. Clair)
Britton	Grouby	Meade	Solomon
Broadfoot	Guthrie	Merrill	Sorrell
Brooks	Hain	Morrow	Speaks
Cabiness	Hanby	Murphy	Steagall
Camp	Hankins	Nettles	Sullivan
Casey	Hardy	Nichols	Taylor
Cates	Harris	Oakley	Thomas
Cook	Harvey	Owens	Torbert
Cornett	Hawkins	Perry	Turner
Daniel	Hearn	Pierce	Turnham
Dickson	Ingram	Powell	Vickers
Dodd			

—93

And the bill:

H. 148. To authorize the Registers of all Circuit Courts, in Counties having a population of 500,000 inhabitants or more, according to the last or any subsequent Federal Census, to destroy all documents, papers and exhibits filed in divorce cases in such Courts after the expiration of 20 years from the filing date of the final decree in such cases, and making the Minute Books and Final Record Books the official Court Record of such destroyed documents; but no authority is given herein to destroy the dockets, docket sheets, Minute Books, Final Record Books or indices in such cases.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Albea	Barnett	Bevill
Adams	Bailey	Bassett	Bishop

Brannan	Glass	Long (Perry)	Reynolds (Madison)
Branyon	Goldthwaite	McClendon (Chambers)	Roberts
Brewer	Goodwyn	McCorquodale	Rogers (Macon)
Britton	Grant	McLendon (Bullock)	Rogers (Mobile)
Broadfoot	Gross	Martin	Salter
Brooks	Grouby	Meade	Self
Cabiness	Guthrie	Merrill	Sessions
Camp	Hain	Morrow	Shumate
Casey	Hanby	Murphy	Smith (Russell)
Cates	Hankins	Nettles	Smith (St. Clair)
Cook	Hardy	Nichols	Solomon
Cornett	Harris	Oakley	Sorrell
Daniel	Harvey	Oden	Speaks
Dickson	Hawkins	Owens	Steagall
Dodd	Hearn	Perry	Sullivan
Dunn	Ingram	Pierce	Taylor
Edwards	Jenkins	Powell	Thomas
Engel	Johnson (J. T. Tom)	Ramey	Torbert
Faulk	Johnston (Leonard)	Rast	Turner
Ferguson	Jones (Covington)	Ray	Turnham
Ford	Jones (Monroe)	Reynolds (Chambers)	Vickers
Franklin	Lee		

—94

MOTION TO RECESS LOST

The motion of Mr. Nettles that the House recess until 2:00 o'clock this afternoon was lost.

Yeas 48; Nays 48.

Yeas:

Messrs.	Dunn	Long (Perry)	Ramey
Albea	Faulk	McClendon (Chambers)	Ray
Avery	Ford	McCorquodale	Reynolds (Chambers)
Barnett	Glass	Martin	Salter
Bassett	Grant	Meade	Self
Bishop	Guthrie	Merrill	Shumate
Branyon	Hain	Nettles	Sorrell
Britton	Hardy	Oakley	Steagall
Cabiness	Jenkins	Oden	Taylor
Casey	Johnston (Leonard)	Pierce	Thomas
Cates	Lee	Powell	Turnham
Daniel	Long (Lauderdale)	Pruitt	Vickers
Dickson			

—48

Nays:

Mr. Speaker	Dodd	Harvey	Perry
Adams	Edwards	Hawkins	Rast
Bailey	Engel	Hearn	Reynolds (Madison)
Bevill	Ferguson	Johnson (J. T. Tom)	Rogers (Macon)
Brannan	Franklin	Jones (Covington)	Rogers (Mobile)
Brewer	Gilchrist	Jones (Monroe)	Sessions
Broadfoot	Goldthwaite	Locke	Smith (St. Clair)
Brooks	Goodwyn	McLendon (Bullock)	Solomon
Callaham	Gross	Morrow	Speaks
Camp	Hanby	Murphy	Sullivan
Cook	Hankins	Nichols	Torbert
Cornett	Harris	Owens	Turner

—48

BILLS ON THIRD READING RESUMED
BILLS POSTPONED

On motion of Mr. Bevill, consideration of the bills, H. 60 and pending amendment, and H. 61, was postponed until the next legislative day.

On motion of Mr. Roberts, consideration of the bill, H. 35, was temporarily postponed.

And the bill:

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

As amended, was read a third time at length.

MOTION TO RECESS LOST

The motion of Mr. Nettles that the House recess until 2:30 o'clock this afternoon was lost.

Yeas 48; Nays 49.

Yeas:

Messrs.	Dunn	Lee	Pruitt
Albea	Ford	Long (Lauderdale)	Ramey
Avery	Grant	Long (Perry)	Ray
Barnett	Guthrie	McClendon (Chambers)	Reynolds (Chambers)
Bassett	Hain	McCorquodale	Salter
Brannan	Hankins	Martin	Self
Branyon	Hardy	Meade	Shumate
Britton	Harvey	Merrill	Smith (St. Clair)
Brooks	Jenkins	Nettles	Sorrell
Casey	Johnson (J. T. Tom)	Oakley	Thomas
Cates	Johnston (Leonard)	Oden	Turnham
Daniel	Jones (Monroe)	Powell	Vickers
Dickson			

—48

Nays:

Mr. Speaker	Edwards	Ingram	Roberts
Adams	Engel	Jones (Covington)	Rogers (Macon)
Bailey	Ferguson	Locke	Rogers (Mobile)
Bevill	Franklin	McLendon (Bullock)	Sessions
Bishop	Gilchrist	Morrow	Smith (Russell)
Brewer	Glass	Murphy	Solomon
Broadfoot	Goldthwaite	Nichols	Speaks
Cabiness	Goodwyn	Owens	Steagall
Callahan	Gross	Perry	Sullivan
Camp	Hanby	Pierce	Taylor
Cook	Hawkins	Rast	Torbert
Cornett	Hearn	Reynolds (Madison)	Turner
Dodd			

—49

CONSIDERATION OF S. 29 RESUMED

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

As amended, was again taken up.

On motion of Mr. Pruitt, the motion of Mr. Shumate to postpone further consideration of the bill, S. 29, as amended, until the next legislative day, was laid upon the table.

Yeas 70; Nays 26.

Yeas:

Mr. Speaker	Dunn	Jones (Monroe)	Ramey
Adams	Edwards	Lee	Rast
Avery	Faulk	Locke	Ray
Barnett	Ford	Long (Perry)	Reynolds (Chambers)
Bassett	Franklin	McClendon (Chambers)	Rogers (Macon)
Bishop	Gilchrist	McCorquodale	Rogers (Mobile)
Brannan	Glass	McLendon (Bullock)	Salter
Branyon	Grant	Martin	Self
Brewer	Gross	Meade	Sessions
Brooks	Grouby	Morrow	Solomon
Cabiness	Hain	Nettles	Sorrell
Casey	Hankins	Oakley	Speaks
Cates	Hardy	Oden	Sullivan
Cook	Harvey	Owens	Taylor
Cornett	Hawkins	Perry	Thomas
Daniel	Ingram	Powell	Turner
Dickson	Jenkins	Pruitt	Vickers
Dodd	Johnson (J. T. Tom)		

—70

Nays:

Messrs.	Camp	Hearn	Roberts
Albea	Engel	Johnston (Leonard)	Shumate
Bailey	Ferguson	Jones (Covington)	Smith (St. Clair)
Bevill	Goldthwaite	Merrill	Steagall
Britton	Goodwyn	Murphy	Torbert
Broadfoot	Guthrie	Nichols	Turnham
Callahan	Hanby	Pierce	

—26

And the motion of Mr. Broadfoot to indefinitely postpone the bill, S. 29, as amended, was lost.

Yeas 23; Nays 71.

Yeas:

Messrs.	Engel	Jones (Covington)	Perry
Albea	Ferguson	Locke	Pierce
Bailey	Goodwyn	Merrill	Roberts
Broadfoot	Hanby	Morrow	Rogers (Mobile)
Callahan	Hawkins	Murphy	Sessions
Camp	Hearn	Nichols	Shumate

—23

Nays:

Mr. Speaker	Dodd	Johnson (J. T. Tom)	Rast
Adams	Dunn	Johnston (Leonard)	Ray
Avery	Edwards	Jones (Monroe)	Reynolds (Chambers)
Barnett	Faulk	Lee	Reynolds (Madison)
Bassett	Franklin	Long (Lauderdale)	Rogers (Macon)
Bevill	Gilchrist	Long (Perry)	Salter
Brannan	Glass	McClendon (Chambers)	Self
Branyon	Goldthwaite	McCorquodale	Smith (Russell)
Brewer	Grant	McLendon (Bullock)	Smith (St. Clair)
Britton	Gross	Martin	Solomon
Brooks	Grouby	Meade	Sorrell
Cabiness	Guthrie	Nettles	Speaks
Casey	Hain	Oakley	Sullivan
Cates	Hankins	Oden	Taylor
Cook	Hardy	Owens	Thomas
Cornett	Harvey	Powell	Turner
Daniel	Ingram	Pruitt	Vickers
Dickson	Jenkins	Ramey	

—71

RECESS

Mr. Cabiness moved that the House recess until 2:00 o'clock this afternoon.

The substitute motion of Mr. Reynolds (Chambers) that the House recess until 2:30 o'clock this afternoon was adopted.

Yeas 50; Nays 47.

Yeas:

Messrs.	Dunn	Johnson (J. T. Tom)	Pruitt
Albea	Engel	Johnston (Leonard)	Ramey
Avery	Ford	Jones (Covington)	Reynolds (Chambers)
Barnett	Goodwyn	Lee	Salter
Bassett	Grant	Long (Lauderdale)	Self
Branyon	Gross	Long (Perry)	Shumate
Britton	Guthrie	McClendon (Chambers)	Smith (St. Clair)
Brooks	Hankins	McLendon (Bullock)	Sorrell
Cabiness	Hardy	Martin	Speaks
Casey	Harris	Meade	Thomas
Cates	Harvey	Nettles	Turnham
Daniel	Ingram	Oakley	Vickers
Dodd	Jenkins	Powell	

—50

Nays:

Mr. Speaker	Edwards	Locke	Roberts
Adams	Faulk	Merrill	Rogers (Macon)
Bailey	Ferguson	Morrow	Rogers (Mobile)
Bishop	Franklin	Murphy	Sessions
Brannan	Gilchrist	Nichols	Smith (Russell)
Brewer	Glass	Oden	Solomon
Broadfoot	Goldthwaite	Owens	Steagall
Callahan	Grouby	Perry	Sullivan
Camp	Hain	Pierce	Taylor
Cook	Hanby	Rast	Torbert
Cornett	Hawkins	Ray	Turner
Dickson	Jones (Monroe)	Reynolds (Madison)	

—47

AFTERNOON SESSION

The hour of 2:30 o'clock P.M. having arrived, the House reconvened. The Speaker called the House to order.

CONSIDERATION OF S. 29 RESUMED

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

As amended, was again taken up.

And said bill, S. 29, as amended, was lost.

Yeas 57; Nays 39.

Yeas:

Mr. Speaker	Dunn	Jones (Monroe)	Ramey
Avery	Faulk	Lee	Ray
Barnett	Ford	Long (Lauderdale)	Reynolds (Chambers)
Bassett	Franklin	Long (Perry)	Rogers (Macon)
Bevill	Gilmer	McClendon (Chambers)	Salter
Brannan	Glass	McCorquodale	Self
Branyon	Grant	McLendon (Bullock)	Shumate
Britton	Hardy	Martin	Smith (St. Clair)
Brooks	Harris	Meade	Sorrell
Casey	Harvey	Oakley	Speaks
Cates	Ingram	Oden	Sullivan
Cook	Jenkins	Owens	Thomas
Daniel	Johnson (J. T. Tom)	Powell	Turner
Dickson	Johnston (Leonard)	Pruitt	Vickers
Dodd			

—57

Nays:

Messrs.	Edwards	Jones (Covington)	Reynolds (Madison)
Adams	Ferguson	Locke	Roberts
Albea	Gilchrist	Merrill	Rogers (Mobile)
Bailey	Goldthwaite	Morrow	Sessions
Bishop	Goodwyn	Murphy	Smith (Russell)
Brewer	Gross	Nettles	Solomon
Cabiness	Grouby	Nichols	Steagall
Callahan	Hain	Perry	Taylor
Camp	Hanby	Pierce	Torbert
Cornett	Hawkins	Rast	Turnham

—39

PAIR ANNOUNCED

Mr. Broadfoot announced that he was paired with Mr. Hankins. If Mr. Hankins were present he would vote "yea" and Mr. Broadfoot would vote "nay".

POINT OF PERSONAL PRIVILEGE

Mr. Engel requested as a matter of personal privilege that the Journal show that he had been called out of the House when the final vote was taken

on the bill, S. 29. He requested that the Journal show that had he been present he would have voted "nay".

The motion of Mr. Gilchrist to lay on the table the motion of Mr. Taylor to reconsider the vote by which the bill, S. 29, as amended, was lost, was lost.

Yeas 37; Nays 61.

Yeas:

Messrs.	Cornett	Locke	Roberts
Adams	Edwards	Merrill	Rogers (Mobile)
Albea	Engel	Morrow	Sessions
Bailey	Ferguson	Murphy	Shumate
Bevill	Gilchrist	Nichols	Smith (Russell)
Bishop	Goldthwaite	Perry	Solomon
Brewer	Goodwyn	Pierce	Steagall
Broadfoot	Hain	Rast	Torbert
Callahan	Hanby	Reynolds (Madison)	Turnham
Camp	Hawkins		

—37

Nays:

Mr. Speaker	Faulk	Jones (Covington)	Pruitt
Avery	Ford	Jones (Monroe)	Ramey
Barnett	Franklin	Lee	Ray
Bassett	Gilmer	Long (Lauderdale)	Reynolds (Chambers)
Brannan	Glass	Long (Perry)	Rogers (Macon)
Branyon	Grant	McClendon (Chambers)	Salter
Britton	Gross	McCorquodale	Self
Brooks	Grouby	McLendon (Bullock)	Smith (St. Clair)
Cabiness	Hardy	Martin	Sorrell
Casey	Harris	Meade	Speaks
Cates	Harvey	Nettles	Sullivan
Cook	Ingram	Oakley	Taylor
Daniel	Jenkins	Oden	Thomas
Dickson	Johnson (J. T. Tom)	Owens	Turner
Dodd	Johnston (Leonard)	Powell	Vickers
Dunn			

—61

MOTIONS TO ADJOURN LOST

Mr. Goodwyn moved that the House adjourn until Friday, June 29, 1962, at ten o'clock A. M.

The substitute motion of Mr. Reynolds (Chambers) that the House adjourn until Friday, June 29, 1962, at two o'clock P.M. was lost.

Yeas 14; Nays 81.

Yeas:

Messrs.	Goldthwaite	Jones (Covington)	Smith (St. Clair)
Bailey	Goodwyn	Meade	Speaks
Callahan	Grant	Pierce	Turnham
Ferguson	Johnson (J. T. Tom)	Reynolds (Chambers)	

—14

Nays:

Mr. Speaker	Dodd	Johnston (Leonard)	Ramey
Adams	Dunn	Jones (Monroe)	Rast
Albea	Edwards	Lee	Ray
Avery	Engel	Locke	Reynolds (Madison)
Barnett	Faulk	Long (Perry)	Roberts
Bassett	Ford	McClendon (Chambers)	Rogers (Macon)
Bevill	Franklin	McCorquodale	Rogers (Mobile)
Brannan	Gilchrist	McLendon (Bullock)	Self
Branyon	Gilmer	Martin	Sessions
Brewer	Glass	Merrill	Shumate
Britton	Gross	Morrow	Smith (Russell)
Broadfoot	Grouby	Murphy	Solomon
Brooks	Hain	Nettles	Sorrell
Cabiness	Hanby	Nichols	Steagall
Camp	Hankins	Oakley	Sullivan
Casey	Harris	Oden	Taylor
Cates	Harvey	Owens	Thomas
Cook	Hawkins	Perry	Torbert
Cornett	Ingram	Powell	Turner
Daniel	Jenkins	Pruitt	Vickers
Dickson			

—81

The question was then on the motion of Mr. Goodwyn that the House adjourn until Friday, June 29, 1962, at ten o'clock A.M., and the motion was lost.

Yeas 40; Nays 55.

Yeas:

Mr. Speaker	Cornett	Ingram	Rogers (Macon)
Avery	Dickson	Jenkins	Salter
Bailey	Dodd	Johnston (Leonard)	Self
Barnett	Franklin	Long (Lauderdale)	Shumate
Bevill	Gilmer	Meade	Smith (Russell)
Bishop	Goodwyn	Nichols	Smith (St. Clair)
Branyon	Hain	Oden	Steagall
Callahan	Hankins	Owens	Sullivan
Casey	Hardy	Pierce	Turnham
Cook	Harvey	Ray	Vickers

—40

Nays:

Messrs.	Edwards	Jones (Covington)	Powell
Adams	Engel	Jones (Monroe)	Rast
Albea	Faulk	Lee	Reynolds (Chambers)
Bassett	Ferguson	Locke	Reynolds (Madison)
Brannan	Ford	McClendon (Chambers)	Roberts
Brewer	Gilchrist	McCorquodale	Rogers (Mobile)
Britton	Goldthwaite	McLendon (Bullock)	Sessions
Broadfoot	Grant	Martin	Solomon
Brooks	Gross	Merrill	Sorrell
Cabiness	Grouby	Morrow	Speaks
Camp	Hanby	Murphy	Taylor
Cates	Harris	Nettles	Thomas
Daniel	Hawkins	Oakley	Torbert
Dunn	Johnson (J. T. Tom)	Perry	Turner

—55

CONSIDERATION OF S. 29 RESUMED

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

As amended, was again taken up.

The question was on the motion of Mr. Taylor to reconsider the vote by which the bill, S. 29, as amended, was lost, and said motion was adopted.

Yeas 61; Nays 37.

Yeas:

Mr. Speaker	Faulk	Jones (Covington)	Pruitt
Avery	Ferguson	Jones (Monroe)	Ramey
Barnett	Ford	Lee	Ray
Bassett	Franklin	Long (Lauderdale)	Reynolds (Chambers)
Brannan	Gilmer	Long (Perry)	Rogers (Macon)
Branyon	Glass	McClendon (Chambers)	Salter
Britton	Grant	McCorquodale	Self
Brooks	Gross	McLendon (Bullock)	Smith (St. Clair)
Cabiness	Hardy	Martin	Sorrell
Casey	Harris	Meade	Speaks
Cates	Harvey	Nettles	Sullivan
Cook	Ingram	Oakley	Taylor
Daniel	Jenkins	Oden	Thomas
Dickson	Johnson (J. T. Tom)	Owens	Turner
Dodd	Johnston (Leonard)	Powell	Vickers
Dunn			

—61

Nays:

Messrs.	Cornett	Locke	Roberts
Adams	Edwards	Merrill	Rogers (Mobile)
Albea	Engel	Morrow	Sessions
Bailey	Gilchrist	Murphy	Shumate
Bevill	Goldthwaite	Nichols	Smith (Russell)
Bishop	Goodwyn	Perry	Solomon
Brewer	Grouby	Pierce	Steagall
Broadfoot	Hain	Rast	Torbert
Callahan	Hanby	Reynolds (Madison)	Turnham
Camp	Hawkins		

—37

The motion of Mr. Gilchrist to lay on the table the motion of Mr. Taylor to postpone further consideration of the bill, S. 29, as amended, until the eleventh legislative day was lost.

Yeas 35; Nays 61.

Yeas:

Messrs.	Bevill	Callahan	Engel
Adams	Bishop	Camp	Gilchrist
Albea	Brewer	Cornett	Goldthwaite
Bailey	Broadfoot	Edwards	Grouby

Hain	Morrow	Rast	Shumate
Hanby	Murphy	Reynolds (Madison)	Smith (Russell)
Hawkins	Nichols	Roberts	Solomon
Locke	Perry	Rogers (Mobile)	Steagall
Merrill	Pierce	Sessions	Turner

—35

Nays:

Mr. Speaker	Faulk	Jones (Covington)	Pruitt
Avery	Ferguson	Jones (Monroe)	Ramey
Barnett	Ford	Lee	Ray
Bassett	Franklin	Long (Lauderdale)	Reynolds (Chambers)
Brannan	Gilmer	Long (Perry)	Rogers (Macon)
Branyon	Glass	McClendon (Chambers)	Salter
Britton	Grant	McCorquodale	Self
Brooks	Gross	McLendon (Bullock)	Smith (St. Clair)
Cabiness	Hardy	Martin	Speaks
Casey	Harris	Meade	Sullivan
Cates	Harvey	Nettles	Taylor
Cook	Ingram	Oakley	Thomas
Daniel	Jenkins	Oden	Torbert
Dickson	Johnson (J. T. Tom)	Owens	Turnham
Dodd	Johnston (Leonard)	Powell	Vickers
Dunn			

—61

The question was then on the motion of Mr. Taylor to postpone further consideration of the bill, S. 29, as amended, until the eleventh legislative day, and said motion was adopted.

Yeas 65; Nays 32.

Yeas:

Mr. Speaker	Faulk	Johnston (Leonard)	Pruitt
Avery	Ferguson	Jones (Covington)	Ramey
Barnett	Ford	Jones (Monroe)	Ray
Bassett	Franklin	Lee	Reynolds (Chambers)
Bevill	Gilmer	Long (Lauderdale)	Rogers (Macon)
Brannan	Glass	Long (Perry)	Salter
Branyon	Grant	McClendon (Chambers)	Self
Britton	Gross	McCorquodale	Shumate
Brooks	Grouby	McLendon (Bullock)	Smith (St. Clair)
Cabiness	Hankins	Martin	Sorrell
Casey	Hardy	Meade	Speaks
Cates	Harris	Nettles	Sullivan
Cook	Harvey	Oakley	Taylor
Daniel	Ingram	Oden	Thomas
Dickson	Jenkins	Owens	Turner
Dodd	Johnson (J. T. Tom)	Powell	Vickers
Dunn			

—65

Nays:

Messrs.	Engel	Merrill	Roberts
Adams	Gilchrist	Morrow	Rogers (Mobile)
Albea	Goldthwaite	Murphy	Sessions
Bailey	Goodwyn	Nichols	Smith (Russell)
Brewer	Hain	Perry	Solomon
Callahan	Hanby	Pierce	Steagall
Camp	Hawkins	Rast	Torbert
Cornett	Locke	Reynolds (Madison)	Turnham
Edwards			

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CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolution hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 1:50 P.M. On June 28, 1962

H. 11.

H. 32.

H. 46.

H. 77.

H. 78.

H. 79.

H. 91.

H. 96.

H. 97.

H. 100.

H. 101.

H. 109.

H. 110.

H. 111.

H. 116.

H. 117.

H. 76.

H. 99.

H. J. R. 20.

OAKLEY MELTON, JR.,
Clerk.

ADJOURNMENT

Mr. Shumate moved that the House adjourn until Friday, June 29, 1962, at ten o'clock A. M.

The substitute motion of Mr. Cates that the House adjourn until Friday, June 29, 1962, at eleven o'clock A. M. was lost.

Yeas 24; Nays 73.

Yeas:

Messrs.	Ferguson	Hardy	Nichols
Brooks	Ford	Ingram	Ramey
Callahan	Franklin	Johnson (J. T. Tom)	Salter
Camp	Gross	Johnston (Leonard)	Smith (St. Clair)
Casey	Grouby	Lee	Speaks
Cates	Hanby	Long (Lauderdale)	Thomas
Cook			

—24

Nays:

Mr. Speaker	Edwards	Long (Perry)	Ray
Adams	Engel	McClendon (Chambers)	Reynolds (Chambers)
Albea	Faulk	McCorquodale	Reynolds (Madison)
Bailey	Gilchrist	McLendon (Bullock)	Roberts
Barnett	Gilmer	Martin	Rogers (Macon)
Bassett	Glass	Meade	Rogers (Monticello)
Bevill	Goldthwaite	Merrill	Self
Bishop	Goodwyn	Morrow	Sessions
Brannan	Grant	Murphy	Shumate
Branyon	Hain	Nettles	Smith (Russell)
Brewer	Hankins	Oakley	Solomon
Britton	Harris	Oden	Steagall
Broadfoot	Harvey	Owens	Sullivan
Cabiness	Hawkins	Perry	Taylor
Cornett	Jenkins	Pierce	Torbert
Daniel	Jones (Covington)	Powell	Turner
Dickson	Jones (Monroe)	Pruitt	Turnham
Dodd	Locke	Rast	Vickers
Dunn			

—73

And the substitute motion of Mr. Broadfoot that the House adjourn until Friday, June 29, 1962, at nine o'clock A. M. was lost.

Yeas 25; Nays 70.

Yeas:

Messrs.	Broadfoot	Ingram	Self
Albea	Camp	Lee	Shumate
Bassett	Cook	Merrill	Solomon
Bevill	Cornett	Nichols	Sorrell
Bishop	Goldthwaite	Oden	Sullivan
Branyon	Hanby	Reynolds (Chambers)	Thomas
Britton	Harris		

—25

Nays:

Mr. Speaker	Ferguson	Jones (Covington)	Pruitt
Adams	Ford	Jones (Monroe)	Ramey
Bailey	Franklin	Locke	Rast
Barnett	Gilchrist	Long (Lauderdale)	Ray
Brannan	Gilmer	Long (Perry)	Reynolds (Madison)
Brewer	Glass	McCorquodale	Roberts
Brooks	Goodwyn	McLendon (Bullock)	Rogers (Macon)
Cabiness	Grant	Martin	Rogers (Mobile)
Callahan	Gross	Meade	Salter
Casey	Grouby	Morrow	Sessions
Cates	Hain	Murphy	Speaks
Daniel	Hankins	Nettles	Steagall
Dickson	Hardy	Oakley	Taylor
Dodd	Harvey	Owens	Torbert
Dunn	Hawkins	Perry	Turner
Edwards	Jenkins	Pierce	Turnham
Engel	Johnson (J. T. Tom)	Powell	Vickers
Faulk	Johnston (Leonard)		

—70

The question was then on the motion of Mr. Shumate that the House adjourn until Friday, June 29, 1962, at ten o'clock A. M., and the motion was adopted.

Yeas 53; Nays 44.

Yeas:

Messrs.	Dickson	Johnston (Leonard)	Ramey
Adams	Dunn	Jones (Monroe)	Ray
Albea	Ferguson	Lee	Rogers (Macon)
Bassett	Franklin	Long (Lauderdale)	Salter
Bevill	Gilchrist	McClendon (Chambers)	Shumate
Bishop	Glass	McLendon (Bullock)	Smith (Russell)
Branyon	Goodwyn	Martin	Smith (St. Clair)
Broadfoot	Gross	Meade	Solomon
Brooks	Grouby	Merrill	Sorrell
Callahan	Hain	Nichols	Steagall
Camp	Hankins	Oden	Sullivan
Casey	Hardy	Owens	Taylor
Cook	Ingram	Pierce	Thomas
Cornett	Jenkins		

—53

Nays:

Mr. Speaker	Edwards	Locke	Reynolds (Chambers)
Avery	Engel	Long (Perry)	Reynolds (Madison)
Bailey	Faulk	McCorquodale	Roberts
Barnett	Ford	Morrow	Rogers (Mobile)
Brannan	Goldthwaite	Murphy	Self
Brewer	Grant	Nettles	Sessions
Britton	Harris	Oakley	Speaks
Cabiness	Harvey	Perry	Torbert
Cates	Hawkins	Powell	Turner
Daniel	Johnson (J. T. Tom)	Pruitt	Turnham
Dodd	Jones (Covington)	Rast	Vickers

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TENTH DAY

House of Representatives
Montgomery, Alabama
Friday, June 29, 1962

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend John W. Lambert, Minister, Cloverdale Christian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Faulk	Johnson (J. T. Tom)	Ramey
Adams	Ferguson	Johnston (Leonard)	Rast
Albea	Ford	Jones (Covington)	Ray
Avery	Franklin	Jones (Monroe)	Reynolds (Chambers)
Bailey	Gilchrist	Lee	Reynolds (Madison)
Barnett	Gilmer	Locke	Roberts
Bassett	Glass	Long (Lauderdale)	Rogers (Macon)
Bevill	Goldthwaite	Long (Perry)	Rogers (Mobile)
Bishop	Goodwyn	McClendon (Chambers)	Salter
Branyon	Gordon	McCorquodale	Self
Brewer	Grant	McLendon (Birmingham)	Sessions
Britton	Gross	Martin	Shumate
Broadfoot	Grouby	Meade	Smith (Russell)
Brooks	Guthrie	Merrill	Smith (St. Clair)
Cabiness	Hain	Morrow	Solomon
Callahan	Hanby	Murphy	Sorrell
Camp	Hankins	Nettles	Speaks
Casey	Hardy	Nichols	Steagall
Chambers	Harris	Oakley	Sullivan
Cook	Harvey	Oden	Taylor
Cornett	Hawkins	Owens	Thomas
Daniel	Hearn	Perry	Torbert
Dickson	Ingram	Pierce	Turner
Dunn	Jenkins	Powell	Turnham
Edwards	Johnson (Hardaway)	Pruitt	Vickers
Engel			

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A quorum was present.

LEAVES OF ABSENCE

On motion of Mr. Jones (Monroe) leave of absence was granted to Mr. Rozelle because of personal illness.

On motion of Mr. Thomas leave of absence was granted to Mr. Cates because of illness in his family.

On motion of Mr. Pruitt leave of absence was granted to Mr. Dodd.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Ninth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the ninth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the ninth legislative day was approved.

MOTION TO RECONSIDER ADOPTED

The motion of Mr. Vickers to reconsider the vote by which the bill, H. 150, was passed on the last legislative day, was adopted.

And the bill:

H. 150. To create the office of deputy solicitor for all counties having two court houses at which any of the business of the circuit court or other court of record therein is regularly transacted from time to time and having a population of not less than 31,000 nor more than 75,000, according to the last or any subsequent federal decennial census; to fix the salary, provide for the appointment and removal, and define the powers and duties of such deputy solicitors; and to repeal all general and local laws in conflict herewith.

Was again taken up.

Mr. Vickers offered the following amendment to the bill, H. 150:

Amendment to H. 150

In the title and in Section 1, strike out the figures 31,000 and insert in lieu thereof 36,000

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Brewer	Dickson	Goldthwaite
Adams	Britton	Dunn	Gordon
Albea	Broadfoot	Edwards	Grant
Avery	Brooks	Engel	Gross
Bailey	Cabiness	Faulk	Grouby
Barnett	Callahan	Ferguson	Guthrie
Bassett	Casey	Ford	Hain
Bevill	Chambers	Franklin	Hanby
Bishop	Cornett	Gilmer	Hankins
Branyon	Daniel	Glass	Hardy

Harris	Long (Perry)	Powell	Smith (St. Clair)
Harvey	McClendon (Chambers)	Ramey	Solomon
Hearn	McCorquodale	Rast	Sorrell
Ingram	McLendon (Bullock)	Ray	Speaks
Jenkins	Martin	Reynolds (Chambers)	Steagall
Johnson (Hardaway)	Meade	Reynolds (Madison)	Sullivan
Johnson (J. T. Tom)	Merrill	Rogers (Macon)	Taylor
Johnston (Leonard)	Murphy	Rogers (Mobile)	Thomas
Jones (Monroe)	Nettles	Salter	Torbert
Lee	Oakley	Self	Turnham
Locke	Pierce	Shumate	Vickers

—84

And said bill, H. 150, as thus amended, was again read at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dunn	Ingram	Rast
Adams	Edwards	Jenkins	Ray
Albea	Engel	Johnson (Hardaway)	Reynolds (Chambers)
Avery	Faulk	Johnson (J. T. Tom)	Reynolds (Madison)
Bailey	Ferguson	Johnston (Leonard)	Rogers (Macon)
Barnett	Ford	Jones (Monroe)	Rogers (Mobile)
Bassett	Franklin	Lee	Salter
Bevill	Gilmer	Long (Lauderdale)	Self
Bishop	Glass	Long (Perry)	Shumate
Branyon	Goldthwaite	McClendon (Chambers)	Smith (St. Clair)
Brewer	Gordon	McCorquodale	Solomon
Britton	Grant	McLendon (Bullock)	Sorrell
Broadfoot	Gross	Martin	Speaks
Brooks	Guthrie	Meade	Steagall
Cabiness	Hain	Merrill	Sullivan
Callahan	Hanby	Murphy	Taylor
Casey	Hankins	Nettles	Thomas
Chambers	Hardy	Oakley	Torbert
Cornett	Harris	Pierce	Turner
Daniel	Harvey	Powell	Turnham
Dickson	Hearn	Ramey	Vickers

—84

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 103. To provide for the distribution and use of revenue received from the property tax levied as authorized by Amendment CCIII of the Constitution of Alabama 1901 in any county having a population of not less than 96,000 nor more than 106,000.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Hanby the House concurred in and adopted the Senate amendment to the bill, H. 103, said Senate amendment being as follows:

AMENDMENT TO H. B. 103

Amend the title and Section 2 of H. B. 103 by striking from the title roman numerals CCIII in line two and inserting in lieu thereof roman numerals "CCII", and by striking from Section 2, roman numerals CCIII in line 3, and inserting in lieu thereof roman numerals "CCII".

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Hardaway)	Powell
Adams	Dunn	Johnson (J. T. Tom)	Ramey
Albea	Engel	Johnston (Leonard)	Rast
Avery	Faulk	Jones (Covington)	Ray
Bailey	Ferguson	Jones (Monroe)	Reynolds (Madison)
Barnett	Ford	Lee	Rogers (Macon)
Bassett	Franklin	Long (Lauderdale)	Rogers (Mobile)
Bevill	Glass	Long (Perry)	Salter
Bishop	Goldthwaite	McClendon (Chambers)	Self
Branyon	Goodwyn	McCorquodale	Shumate
Brewer	Gordon	McLendon (Bullock)	Smith (St. Clair)
Britton	Grant	Martin	Solomon
Broadfoot	Gross	Meade	Sorrell
Brooks	Guthrie	Merrill	Sullivan
Cabiness	Hain	Morrow	Taylor
Callahan	Hanby	Murphy	Thomas
Camp	Hankins	Nettles	Torbert
Casey	Harvey	Oakley	Turner
Chambers	Hearn	Owens	Turnham
Cornett	Ingram	Pierce	Vickers
Daniel	Jenkins		

—82

And said bill, H. 103, as amended by the Senate amendment, was again read at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hankins	Martin
Adams	Dickson	Hardy	Meade
Albea	Dunn	Harris	Merrill
Avery	Engel	Harvey	Morrow
Bailey	Faulk	Hearn	Murphy
Barnett	Ferguson	Ingram	Nettles
Bassett	Ford	Jenkins	Oakley
Bevill	Franklin	Johnson (Hardaway)	Owens
Bishop	Gilmer	Johnson (J. T. Tom)	Pierce
Branyon	Glass	Johnston (Leonard)	Powell
Brewer	Goldthwaite	Jones (Covington)	Ramey
Britton	Goodwyn	Jones (Monroe)	Rast
Broadfoot	Gordon	Lee	Ray
Brooks	Grant	Locke	Reynolds (Chambers)
Cabiness	Gross	Long (Lauderdale)	Reynolds (Madison)
Camp	Grouby	Long (Perry)	Rogers (Macon)
Casey	Guthrie	McClendon (Chambers)	Rogers (Mobile)
Chambers	Hain	McCorquodale	Salter
Cornett	Hanby	McLendon (Bullock)	Self

Sessions
Shumate
Smith (St. Clair)
Solomon

Sorrell
Speaks
Steagall
Sullivan

Taylor
Thomas
Torbert

Turner
Turnham
Vickers

—90

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 17. Relating to municipalities having populations of not less than 48,000 nor more than 60,000, according to the most recent federal decennial census; limiting their authority to impose privilege license taxes.

Also:

H. 122. To extend, alter and rearrange the boundaries of the Town of Mount Vernon, so as to extend the corporate limits thereof.

Also:

H. 102. To amend Section 1 of Act No. 158, H. 399, approved August 1, 1961 (Acts of Alabama 1961, p. 206) which act regulates the compensation of coroners in counties of not less than 96,000 nor more than 106,000 population, so as to authorize the payment of an expense allowance to the coroner in any such county.

Also:

H. 95. To amend Act No. 853, H. 1152, Regular Session 1961 (Acts 1961, Vol. 2, p. 1292) which requires the commissioner and state department of revenue to collect sales taxes for the town of Camp Hill, Tallapoosa County.

Also:

H. 126. Relating to counties having populations of not less than 25,700 nor more than 25,950; to alter, rearrange and extend the corporate limits of certain towns within such counties.

Also:

H. 63. Relating to the Fourteenth Judicial Circuit; fixing the salary of the Official Court Reporter appointed by and serving under the Presiding Judge of such circuit and providing for the payment thereof.

Also:

H. 129. To apply only in counties having populations of not less than 21,800 nor more than 21,850; to prescribe qualifications, compensation and duties of members of the county board of education.

Also:

H. 75. To provide that in any city of the State having a population of 300,000 or more according to the last or any subsequent federal census it shall be unlawful for any member of the governing body, or officer or employee of the city to be directly or indirectly interested in any work, business or contract, the expense, price or consideration of which is paid from the treasury of the city; to provide that in any such city no member of any committee, board or board of managers, trustees or directors containing one or more members appointed by the governing body of the city, or one or more members whose appointment is subject to the approval of the said governing body, or any officer or employee of the city who is an ex officio member of the said committee or board shall be directly or indirectly interested in any work, business or contract, the expense, price or consideration of which is paid from the funds over which such committee or board has jurisdiction or which such committee or board administers, and to provide that no member of any such committee or board shall be directly or indirectly interested in furnishing any work, materials, supplies, services or anything which is the subject of a contract made by the committee or board; to provide that membership on any such committee or board shall not result in it being unlawful for a member of the committee or board to be interested in any work for, or business or contract with, any such city, provided the said committee or board does not authorize the said work, business or contract; to provide that it shall be unlawful for any member of the governing body or any officer of any such city to be surety for any person having a contract, work or business with the city for the performance of which a surety may be required; to provide that it shall be unlawful for a member of any such committee or board to be a surety for any person having a contract, work or business with the committee or board for the performance of which a surety may be required; to provide that membership on any such committee or board shall not result in it being unlawful for a member of such committee or board to be a surety for persons having a contract, work or business with the city for the performance of which a surety may be required provided the committee or board does not authorize the said contract, work or business; and to repeal all laws or parts of laws in conflict with the provisions of this Act; and prescribing penalties for the violation of this Act.

Also:

H. 128. To apply only on counties having populations of not less than 21,800 nor more than 21,850 according to the last or any subsequent federal decennial census; to provide for the uniform operation of school terms for all public schools within such counties.

Also:

H. 124. To amend Act No. 833, H. 1498, approved September 8, 1961, which levies a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in counties having populations of not less than 80,000 and not more than 96,000 according to the last or any subsequent federal decennial census, and provides for the collection and enforcement of such tax, so as to provide for the use of tax stamps in the collection of the tax and to authorize and provide for the seizure and confiscation of any malt or brewed beverage hereby taxed on which the tax has not been paid and tax stamps affixed pursuant to this Act by any law enforcement officer of the county, of any municipality in the county, or of the state.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Eddins:

S. 62. To abolish the City Court of Demopolis, an inferior court established in lieu of justices of the peace for the Demopolis precinct, Marengo County, and to reestablish the office of justice of the peace in that precinct; providing for the election or appointment of two justices of the peace for the precinct, and prescribing their jurisdiction, powers, and duties.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MARENGO

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To abolish the City Court of Demopolis, an inferior court established in lieu of justices of the peace for the Demopolis precinct, Marengo County, and to reestablish the office of justice of the peace in that precinct; providing for the election or appointment of two justices of the peace for the precinct, and prescribing their jurisdiction, powers and duties.

Be It Enacted by the Legislature of Alabama:

Section 1. The City Court of Demopolis, an inferior court established in and for Demopolis precinct, Marengo County, by Act No. 304, S. 430, approved September 26, 1903 (Local Acts 1903, p. 366), is hereby abolished.

Section 2. In lieu of the City Court of Demopolis there shall be elected or appointed as provided by general laws two justices of the peace for the Demopolis precinct, who shall have all the jurisdiction, powers, and duties of justices of the peace as prescribed by Chapter 8 of Title 13. Code of Alabama 1940, as heretofore or hereafter amended. These justices may exercise jurisdiction in all cases, causes, matters, or proceedings cognizable in justice courts under the general laws of Alabama or local or special laws applicable to Marengo County only.

Section 3. All cases, causes of action and judgments pending in the City Court of Demopolis on the effective date of this Act shall be transferred to the court of one or the other of the justices provided for in Section 2, as prescribed in Code of Alabama 1940, Title 13, Section 393.

Section 4. Act No. 304 of September 26, 1903, and all acts amendatory thereof are hereby expressly repealed.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall take effect on the first day of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ben G. George, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Demopolis Times, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 31, June 7, June 14, and June 21, all in the year 1962.

BEN G. GEORGE.

Sworn to and subscribed before me June 22, 1962.

JEROME M. LEVY,
Title Notary Public.

Also:

By Mr. Moses:

S. 64. Relating to the municipality of Hamilton, in Marion County, Alabama: To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Hamilton, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MARION

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the municipality of Hamilton, in Marion County, Alabama: To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Hamilton, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Hamilton in Marion County, Alabama, are hereby altered, re-arranged, and extended to include within the corporate limits of said Town of Hamilton, Alabama, the following described territory, situated in Marion County, Alabama, to-wit:

SW $\frac{1}{4}$ of Section 31, Township 10, Range 13; S $\frac{1}{2}$ of SE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 25; All of Section 36; all in Township 10, Range 14;

All of Section 1; All of Section 2, East of Buttahatchee River; N $\frac{1}{2}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$, W $\frac{1}{2}$ of NW $\frac{1}{4}$, West of River, Section 11; all in Township 11, Range 14.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared S. L. Masdon, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County Star, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 31, June 7, June 14, and June 21, all in the year 1962.

S. L. MASDON, JR.

Sworn to and subscribed before me June 23, 1962.

ROBERT H. THOMAS,

Title Notary Public, State of Alabama at Large.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standings Committees as follows:

S. 62. Local Legislation No. 1

S. 64. Local Legislation No. 1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. deGraffenried:

S. 48. Relating to the Partlow State School for Mental Deficients; changing the name of such institution to Partlow State School and Hospital.

Also:

By Mr. Dumas:

S. 57. To create a Local Government Commission in each county in the State having a population of 500,000 or more, according to the 1960 or any succeeding decennial Federal census, to provide for the membership, organization, functions, powers and duties of such Commission, to provide for the financing of such Commission's work by appropriation from the County and each municipality therein, and the receipt by the Commission of donations, to provide for the submission of recommended municipal mergers, annexations or changes in form of government to a vote of the qualified voters affected thereby, and in the event of a favorable vote, the effectuation of such mergers, annexations or changes in form of government, and to provide for advisory referenda.

Also:

By Mr. Cooper:

S. 60. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 18,000 nor more than 19,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 48. Local Legislation No. 1

S. 57. Local Legislation No. 2

S. 60. Local Legislation No. 1

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 37. To Fix the Salary of Deputy Circuit Solicitor No. 2 of the Sixth Judicial Circuit of Alabama.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 150. To create the office of deputy solicitor for all counties having two court houses at which any of the business of the circuit court or other court of record therein is regularly transacted from time to time and having a population of not less than 36,000 nor more than 75,000, according to the last or any subsequent federal decennial census; to fix the salary, provide for the appointment and removal, and define the powers and duties of such deputy solicitors; and to repeal all general and local laws in conflict herewith.

VIRGIS M. ASHWORTH,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 17. Relating to municipalities having populations of not less than 48,000 nor more than 60,000, according to the most recent federal decennial census; limiting their authority to impose privilege license taxes.

Also:

H. 63. Relating to the Fourteenth Judicial Circuit; fixing the salary of the Official Court Reporter appointed by and serving under the Presiding Judge of such circuit and providing for the payment thereof.

Also:

H. 75. To provide that in any city of the State having a population of 300,000 or more according to the last or any subsequent federal census it shall be unlawful for any member of the governing body, or officer or employee of the city to be directly or indirectly interested in any work, business or contract, the expense, price or consideration of which is paid

from the treasury of the city; to provide that in any such city no member of any committee, board or board of managers, trustees or directors containing one or more members appointed by the governing body of the city, or one or more members whose appointment is subject to the approval of the said governing body, or any officer or employee of the city who is an ex officio member of the said committee or board, shall be directly or indirectly interested in any work, business or contract, the expense, price or consideration of which is paid from the funds over which such committee or board has jurisdiction or which such committee or board administers, and to provide that no member of any such committee or board shall be directly or indirectly interested in furnishing any work, materials, supplies, services or anything which is the subject of a contract made by the committee or board; to provide that membership on any such committee or board shall not result in it being unlawful for a member of the committee or board to be interested in any work for, or business or contract with, any such city, provided the said committee or board does not authorize the said work, business or contract; to provide that it shall be unlawful for any member of the governing body or any officer of any such city to be surety for any person having a contract, work or business with the city for the performance of which a surety may be required; to provide that it shall be unlawful for a member of any such committee or board to be a surety for any person having a contract, work or business with the committee or board for the performance of which a surety may be required; to provide that membership on any such committee or board shall not result in it being unlawful for a member of such committee or board to be a surety for persons having a contract, work or business with the city for the performance of which a surety may be required provided the committee or board does not authorize the said contract, work or business; and to repeal all laws or parts of laws in conflict with the provisions of this Act; and prescribing penalties for the violation of this Act.

Also:

H. 95. To amend Act No. 853, H. 1152, Regular Session 1961 (Acts 1961, Vol. 2, p. 1292) which requires the commissioner and state department of revenue to collect sales taxes for the town of Camp Hill, Tallapoosa County.

Also:

H. 102. To amend Section 1 of Act No. 158, H. 399, approved August 1, 1961 (Acts of Alabama 1961, p. 206) which act regulates the compensation of coroners in counties of not less than 96,000 nor more than 106,000 population, so as to authorize the payment of an expense allowance to the coroner in any such county.

Also:

H. 122. To extend, alter and rearrange the boundaries of the Town of Mount Vernon, so as to extend the corporate limits thereof.

Also:

H. 124. To amend Act No. 833, H. 1498, approved September 8, 1961, which levies a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in counties having populations of not less than 80,000 and not more than 96,000 according to the last or any subsequent federal decennial census, and provides for the collection and enforce-

ment of such tax, so as to provide for the use of tax stamps in the collection of the tax and to authorize and provide for the seizure and confiscation of any malt or brewed beverage hereby taxed on which the tax has not been paid and tax stamps affixed pursuant to this Act by any law enforcement officer of the county, of any municipality in the county, or of the state.

Also:

H. 126. Relating to counties having populations of not less than 25,700 nor more than 25,950; to alter, rearrange and extend the corporate limits of certain towns within such counties.

Also:

H. 128. To apply only in counties having populations of not less than 21,800 nor more than 21,850 according to the last or any subsequent federal decennial census; to provide for the uniform operation of school terms for all public schools within such counties.

Also:

H. 129. To apply only in counties having populations of not less than 21,800 nor more than 21,850; to prescribe qualifications, compensation and duties of members of the county board of education.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Guthrie:

H. J. R. 21. WHEREAS, the 4th of July, 1962, falls within the next legislative week on Wednesday thereof and due to the pending Federal Court order it is imperative that the legislature meet during next week to continue its efforts to reapportion the legislative body the purpose for which this extraordinary session was called.

It is therefore resolved that when the House and Senate adjourns today, it will meet again on Thursday, July 5, 1962 at high noon.

The motion of Mr. Guthrie to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 21 was lost.

Yeas 64; Nays 21.

Yeas:

Mr. Speaker	Dickson	Jenkins	Rast
Adams	Dunn	Johnson (Hardaway)	Ray
Avery	Ferguson	Johnson (J. T. Tom)	Reynolds (Chambers)
Barnett	Ford	Johnston (Leonard)	Reynolds (Madison)
Bassett	Franklin	Jones (Monroe)	Rogers (Macon)
Bevill	Gilmer	Lee	Salter
Bishop	Glass	Long (Perry)	Self
Britton	Gordon	McClendon (Chambers)	Shumate
Broadfoot	Grant	McLendon (Bullock)	Smith (Russell)
Brooks	Gross	Meade	Solomon
Cabiness	Guthrie	Nettles	Sorrell
Camp	Hain	Oakley	Speaks
Casey	Hankins	Oden	Sullivan
Chambers	Hardy	Owens	Taylor
Cornett	Harvey	Powell	Thomas
Daniel	Hearn	Ramey	Turnham

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Nays:

Messrs.	Gilchrist	Long (Lauderdale)	Pruitt
Albea	Goldthwaite	Morrow	Rogers (Mobile)
Bailey	Hanby	Murphy	Steagall
Brewer	Harris	Perry	Torbert
Callahan	Jones (Covington)	Pierce	Turner
Engel	Locke		

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And said resolution H. J. R. 21 was read and referred to the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 161. To amend the title to and Section 1 of Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956 (as heretofore amended), entitled, "An act relative to municipalities in this state having a population of not less than 23,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any

such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof," so as to make said Act applicable to municipalities having a population of not less than 8,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

H. 164. To amend Act No. 934, H. 1268 of the Regular Session of the Legislature of 1961 (Acts 1961, p. 1506) which provides for a program of property tax equalization in any county of the state having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal decennial census, in order to prescribe the term of service and the compensation therefor of members of the board of equalization in any such county.

H. 165. Relating to counties having populations of not less than 200,000 nor more than 500,000; providing for the assessment of solicitors' fees as a part of the costs of appeals from judgments rendered in certain municipal courts.

H. 167. To amend Act No. 121 of the Special Session of the Legislature of Alabama of 1961, entitled "An Act To amend further Act No. 539, S. 253, approved July 23, 1931, providing for a board of education for Winston County (Local Acts of Alabama 1931, p. 257) so as to provide further for the manner of election of such board; to prescribe their term of office; and to provide for selection of a chairman of the board," approved September 15, 1961.

H. 168. To further provide for the election of a County Superintendent of Education of Winston County, Alabama, by the qualified voters thereof; to prescribe and fix the duties, qualifications, term of office, and compensation of such Superintendent, and to provide for the filling of vacancies in said office.

H. 169. To provide for additional meetings of boards of registrars in counties having populations of not less than 46,475 nor more than 48,000 inhabitants.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Perry, Rogers (Mobile), Engel, Murphy, Sessions and Rast:

H. 170. To amend Sections 1 and 2 of Title 32, Code of Alabama, 1940, so as to reappportion the House of Representatives of the State of Alabama and to redistrict the Senate of the State of Alabama.

Judiciary.

By Mr. Grant:

H. 171. To create an interim legislative committee to investigate rates and charges of newspapers for legal and political advertisements to

determine if regulatory legislation is needed or desirable; to provide for the selection of such committee; to prescribe its powers, duties, and authority, and to appropriate funds for carrying out the provisions of this Act.

State Administration.

By Messrs. Rogers (Mobile), Murphy and Engel:

H. 172. To amend Act No. 44, H. 53, of the Special Session of the Legislature of 1961 (Acts 1961, p. 1897), entitled "An Act to provide for a license tax on and the assessment and collection of ad valorem taxes on house trailers."

State Administration.

By Messrs. Rogers (Mobile), Murphy and Engel (with notice and proof):

H. 173. To provide that the laws governing the County wide Civil Service System of Mobile County, Alabama shall apply to the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, in the office of the Clerk of the Circuit Court of Mobile County, Alabama, and to provide for the person holding the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, to be placed on the employment roster of the Civil Service System of Mobile County and to be placed in the proper class and salary level.

Local Legislation No. 1.

Notice and Proof H. 173:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

NOTICE is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

"To provide that the laws governing the Countywide Civil Service System of Mobile County, Alabama, shall apply to the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, in the office of the Clerk of the Circuit Court of Mobile County, Alabama, and to provide for the person holding the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, to be placed on the employment roster of the Civil Service System of Mobile County and to be placed in the proper class and salary level.

"Be It Enacted by the Legislature of Alabama:

"Section 1. That the laws governing the Countywide Civil Service System of Mobile County shall apply to any person holding the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, in the office of the Clerk of the Circuit Court of Mobile County."

"Section 2. That the person holding the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to

the Clerk of said Court, unclassified, in the office of the Clerk of the Circuit Court of Mobile County, on the effective date of this Act shall be placed forthwith in the classified service of the Countywide Civil Service System of Mobile County without any examination by the Civil Service System."

"Section 3. In placing any person so affected by the provisions of this Act upon the employment roster of the classified service of the Countywide Civil Service System of Mobile County, such position shall be allocated to the appropriate class to reflect recognition of the fact that such position exceeds in authority and responsibility of any other position under the authority of the Clerk of the Circuit Court of Mobile County, and be paid a salary within the minimum and maximum of the range provided such classification."

"Section 4. That all laws or parts of laws general or local in conflict with this Act are hereby repealed."

"Section 5. This act shall become effective October 1st, next after its passage and approval."

W. F. EGAN being sworn, says that he is COMPTROLLER of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register June 7, 14, 21, 28, 1962.

W. F. EGAN.

Sworn to and subscribed before me this 28 day of June, 1962.

DAN E. MILLER, JR.,
Notary Public.

By Messrs. Camp, Callahan and Nichols:

H. 174. To provide for the study of ways and means of solving problems of mental retardation and mental health, creating a legislative committee for that purpose.

State Administration.

RESOLUTION

The following resolution was introduced:

By Messrs. Roberts, Ashworth, Engel, Murphy, Rogers (Mobile), Cornett, Smith (Russell), Lee, Reynolds (Madison), Grouby, Dunn, Albea, Merrill and Daniel.

H. J. R. 22. Whereas, there presently exists in the State of Alabama no adequate shrine honoring and memorializing the gallant men and women of this state who so resolutely and devotedly answered their country's call in the world wide struggle of World War II and in the Korean conflict; and

Whereas, this body has been advised by the United States Navy Department that the USS ALABAMA, one of the greatest war vessels of America's naval history, is available as a gift from the United States Government provided that this great battleship be promptly removed to, and permanently established upon, an appropriate site within the State of

Alabama; else this great vessel will be stricken from the roles of the Navy and scrapped, thus losing forever to posterity a significant part of Alabama and United States history; and

Whereas, the USS Alabama, the fourth vessel on the Register of the United States Navy to bear the honored name of this great State, she being a fighting veteran of most of the great Pacific campaigns including among others the Gilbert, Caroline, Mariana Islands, Okinawa and the Philippines, would serve as a proud and worthy symbol and central shrine for a State Memorial Park forever dedicated to the memory of those great Alabamians, both living and dead, who served their country and state in a time of great travail, provided that prompt and adequate measures can be taken to save and secure this mighty war ship; and

Whereas, it is the conviction of this body that the united and dedicated efforts of the men, women, and children of Alabama can accomplish a program of this magnitude; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING:

1. That there exists a present and urgent need for the creation of a State Memorial to those men and women of Alabama who served in the Armed Forces of the United States during World War II and the Korean conflict; and,

2. That the procurement of the Battleship USS ALABAMA permanently established as the central shrine in an appropriate Memorial Park would fulfill a great and existing need for the State of Alabama and its people; and,

3. Would thus forever provide and constitute a source of pride and inspiration to generations of Alabamians yet unborn; and

4. That this body requests the Governor of Alabama to appoint a committee of interested and competent persons to investigate the feasibility of obtaining this great battleship and of establishing it in an appropriate shrine, and if such undertaking be judged expedient, to formulate a plan of action to accomplish this purpose, such committee to report its findings to the 1963 Regular Session of the Legislature; and

5. That this body memorializes and petitions the Secretary of the Department of Defense and the Secretary of the Navy to withhold any and all actions and plans to dismantle or dispose of the USS ALABAMA until the proposed committee shall report, and a determination shall be made regarding this proposition; and

6. That this body requests the Honorable Lister Hill and Honorable John Sparkman, United States Senators of Alabama, to call upon the President of the United States, the Secretary of Defense, and the Secretary of the Navy to request that all actions and plans to dismantle or dispose of the USS ALABAMA be withheld until the proposed committee shall report and a determination shall be made regarding this proposition.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Secretary of the Department of Defense, to the Secretary of the Navy, to the Honorable Lister Hill and to the Honorable John Sparkman.

On motion of Mr. Roberts the rules were suspended and H. J. R. 22 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Robison:

S. J. R. 6. RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That when the two houses adjourn today, they adjourn to meet again at twelve noon on Thursday, July 5, 1962, and again on Friday at ten o'clock on July 6, 1962.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Pruitt the rules were suspended and the House concurred in and adopted the S. J. R. 6 set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING

H. 156. To regulate the compensation and allowance of election officers of counties having populations of not less than 15,500 nor more than 16,300, according to the 1960 or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Faulk	Johnson (J. T. Tom)	Pierce
Adams	Ferguson	Johnston (Leonard)	Powell
Albea	Ford	Jones (Covington)	Ramey
Avery	Franklin	Jones (Monroe)	Rast
Bailey	Glass	Locke	Ray
Barnett	Goldthwaite	Long (Lauderdale)	Reynolds (Chambers)
Bassett	Gordon	Long (Perry)	Rogers (Macon)
Bevill	Grant	McClendon (Chambers)	Rogers (Mobile)
Bishop	Gross	McCorquodale	Salter
Branyon	Grouby	McLendon (Butlock)	Self
Brewer	Guthrie	Martin	Sessions
Britton	Hain	Meade	Solomon
Brooks	Hanby	Merrill	Sorrell
Cabiness	Hankins	Morrow	Speaks
Casey	Hardy	Murphy	Steagall
Chambers	Harvey	Nettles	Sullivan
Daniel	Hawkins	Oakley	Taylor
Dickson	Hearn	Oden	Turner
Dunn	Ingram	Owens	Turnham
Edwards	Jenkins	Perry	Vickers
Engel	Johnson (Hardaway)		

And the bill:

H. 159. To provide for the compensation and expense allowance of members of the county board of education in all counties having populations of not less than 46,600 nor more than 49,050 according to the 1960 or any subsequent federal decennial census; providing for further compensation for certain other services performed for the school system in any county to which this Act applies in addition to services and duties ordinarily and customarily rendered by board members in such counties; providing for reimbursements for reasonable expenses incurred in performance of such extraordinary services; providing for the time that such increase in compensation shall become effective; and providing penalties for violation of the terms of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Faulk	Johnson (J. T. Tom)	Powell
Adams	Ferguson	Johnston (Leonard)	Ramey
Albea	Ford	Jones (Covington)	Rast
Avery	Franklin	Jones (Monroe)	Ray
Bailey	Glass	Locke	Reynolds (Chambers)
Barnett	Goldthwaite	Long (Lauderdale)	Rogers (Macon)
Bassett	Gordon	Long (Perry)	Rogers (Mobile)
Bevill	Grant	McClendon (Chambers)	Salter
Bishop	Gross	McCorquodale	Self
Branyon	Grouby	McLendon (Bullock)	Sessions
Brewer	Guthrie	Martin	Shumate
Britton	Hain	Meade	Smith (St. Clair)
Brooks	Hanby	Merrill	Solomon
Cabiness	Hankins	Morrow	Sorrell
Camp	Hardy	Murphy	Speaks
Casey	Harvey	Nettles	Steagall
Chambers	Hawkins	Oakley	Sullivan
Daniel	Hearn	Oden	Taylor
Dickson	Ingram	Owens	Turner
Dunn	Jenkins	Perry	Turnham
Edwards	Johnson (Hardaway)	Pierce	Vickers
Engel			

—85

And the bill:

H. 160. To amend Act No. 283, H. 561, approved August 23, 1955, which authorizes and provides for the establishment of a fund designated as the "Solicitor's Fund" for the Solicitor of the Sixth Judicial Circuit, which is drawn upon by the Circuit Solicitor of the Sixth Judicial Circuit, and provides that the Solicitor's fees taxed in all criminal proceedings in the Circuit Court of Tuscaloosa County be paid into such Fund for such purpose (1955 Acts, Volumn 1, page 649).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Ferguson	Johnson (J. T. Tom)	Powell
Adams	Ford	Johnston (Lenard)	Ramey
Albea	Franklin	Jones (Cavington)	Rast
Avery	Gilmer	Jones (Monroe)	Ray
Bailey	Glass	Locke	Reynolds (Chambers)
Barnett	Goldthwaite	Long (Lauderdale)	Rogers (Macon)
Bassett	Gordon	Long (Perry)	Rogers (Mobile)
Bevill	Grant	McClendon (Chambers)	Saiter
Bishop	Gross	McCorquodale	Self
Branyon	Grouby	McLendon (Bullock)	Sessions
Brewer	Guthrie	Martin	Shumate
Britton	Hain	Meade	Smith (St. Clair)
Brooks	Hanby	Merrill	Solomon
Cabiness	Hankins	Morrow	Sorrell
Casey	Hardy	Murphy	Speaks
Chambers	Harvey	Nettles	Steagall
Daniel	Hawkins	Oakley	Sullivan
Dickson	Hearn	Oden	Taylor
Dunn	Ingram	Owens	Turner
Edwards	Jenkins	Perry	Turnham
Engel	Johnson (Hardaway)	Pierce	Vickers
Faulk			

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BILLS INDEFINITELY POSTPONED

On motion of Mr. McCorquodale, the bill, S. 49, was indefinitely postponed.

On motion of Mr. Roberts, the bills, S. 50 and S. 52, were indefinitely postponed.

MOTION TO RECESS LOST

The motion of Mr. Shumate that the House recess until 12:00 o'clock, noon, today, was lost.

Yeas 10; Nays 78.

Yeas:

Mr. Speaker	Branyon	Long (Lauderdale)	Nettles
Adams	Ford	Long (Perry)	Shumate
Barnett	Guthrie		

—10

Nays:

Messrs.	Cabiness	Ferguson	Hanby
Albea	Camp	Franklin	Hankins
Avery	Casey	Gilmer	Hardy
Bailey	Chambers	Glass	Harvey
Bassett	Daniel	Goldthwaite	Hawkins
Bishop	Dickson	Gordon	Hearn
Brewer	Dunn	Grant	Ingram
Britton	Edwards	Gross	Jenkins
Broadfoot	Engel	Grouby	Johnson (J. T. Tom)
Brooks	Faulk	Hain	Johnston (Lenard)

Jones (Covington)	Morrow	Rast	Solomon
Jones (Monroe)	Murphy	Ray	Sorrell
Lee	Oakley	Reynolds (Chambers)	Speaks
Locke	Oden	Reynolds (Madison)	Steagall
McClendon (Chambers)	Owens	Rogers (Macon)	Sullivan
McCorquodale	Perry	Rogers (Mobile)	Thomas
McLendon (Bullock)	Pierce	Salter	Torbert
Martin	Powell	Self	Turner
Meade	Pruitt	Sessions	Turnham
Merrill	Ramey	Smith (St. Clair)	

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BILLS POSTPONED

On motion of Mr. Beville, consideration of the bill, H. 60 and pending amendment, and H. 61, was postponed until the next legislative day.

RESOLUTION

The following resolution was introduced:

By Mr. Meade:

H. J. R. 23. Be It Resolved by The House of Representatives, The Senate Concurring: That the new road through the town of Five Points in Cherokee County, Alabama, from Alabama Highway 35 to the Georgia line is hereby designated and shall be known as "Godfrey Drive."

Be It Further Resolved; That the State Highway Department is authorized and directed to cause to be erected and maintained at all times along the route herein described, appropriate signs and markers indicating that such road is the "Godfrey Drive."

On motion of Mr. Meade the rules were suspended and H. J. R. 23 was adopted.

Yeas 75; Nays 4.

Yeas:

Mr. Speaker	Dunn	Johnson (J. T. Tom)	Ramey
Adams	Engel	Johnston (Leonard)	Rast
Avery	Faulk	Lee	Ray
Bailey	Ferguson	Locke	Reynolds (Chambers)
Barnett	Ford	Long (Lauderdale)	Rogers (Macon)
Bassett	Franklin	Long (Perry)	Rogers (Mobile)
Beville	Gilmer	McClendon (Chambers)	Salter
Bishop	Goldthwaite	McCorquodale	Self
Branyon	Gordon	Meade	Sessions
Brewer	Grant	Morrow	Shumate
Britton	Gross	Murphy	Smith (St. Clair)
Brooks	Guthrie	Nettles	Sorrell
Cabiness	Hankins	Nichols	Speaks
Callahan	Harvey	Oakley	Steagall
Camp	Hawkins	Oden	Sullivan
Casey	Hearn	Owens	Thomas
Chambers	Ingram	Perry	Turner
Daniel	Jenkins	Pierce	Vickers
Dickson	Johnson (Hardaway)	Pruitt	

—75

Nays:

Messrs.
Hanby

Jones (Covington)

Jones (Monroe)

McLendon (Bullock)

—4

BILLS POSTPONED

On motion of Mr. Roberts, consideration of the bill, H. 35, was postponed until the next legislative day.

On motion of Mr. Casey, consideration of the bills, S. 44 and S. 45, was postponed until the next legislative day.

On motion of Mr. Rogers (Mobile), consideration of the bill, H. 130, and substitute, was postponed until the next legislative day.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:40 A.M. On June 29, 1962

H. 17.

H. 63.

H. 75.

H. 95.

H. 102.

H. 122.

H. 124.

H. 126.

H. 128.

H. 129.

OAKLEY MELTON, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Ferguson, the House, in accordance with S. J. R. 6, heretofore adopted, adjourned until Thursday, July 5, 1962, at twelve o'clock, noon.

Yeas 45; Nays 40.

Yeas:

Messrs.	Chambers	Jenkins	Owens
Avery	Dickson	Johnston (Leonard)	Powell
Barnett	Faulk	Jones (Monroe)	Ramey
Bassett	Ferguson	Lee	Ray
Bevill	Ford	McLendon (Bullock)	Rogers (Macon)
Bishop	Gilmer	Martin	Self
Britton	Gordon	Murphy	Shumate
Broadfoot	Grouby	Nettles	Solomon
Brooks	Hankins	Nichols	Sorrell
Callahan	Hardy	Oakley	Sullivan
Camp	Harvey	Oden	Thomas
Casey	Hearn		

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Nays:

Mr. Speaker	Goldthwaite	Long (Perry)	Roberts
Albea	Gross	Meade	Rogers (Mobile)
Bailey	Guthrie	Merrill	Salter
Branyon	Hanby	Morrow	Sessions
Brewer	Hawkins	Perry	Speaks
Cabiness	Ingram	Pierce	Steagall
Cornett	Johnson (J. T. Tom)	Pruitt	Torbert
Edwards	Jones (Covington)	Rast	Turner
Engel	Locke	Reynolds (Chambers)	Turnham
Franklin	Long (Lauderdale)	Reynolds (Madison)	Vickers

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ELEVENTH DAY

House of Representatives
Montgomery, Alabama
Thursday, July 5, 1962

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Cornelius De-Block, Pastor, Second Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Bailey	Bishop	Britton
Adams	Barnett	Brannan	Broadfoot
Albea	Bassett	Branyon	Brooks
Avery	Bevill	Brewer	Cabiness

Callahan	Gordon	Long (Lauderdale)	Reynolds (Chambers)
Camp	Grant	Long (Perry)	Reynolds (Madison)
Casey	Gross	McClendon (Chambers)	Roberts
Cates	Grouby	McCorquodale	Rogers (Macon)
Cook	Guthrie	McLendon (Bullock)	Rogers (Mobile)
Copeland	Hain	Martin	Salter
Cornett	Hanby	Meade	Self
Daniel	Hankins	Merrill	Sessions
Dickson	Hardy	Morrow	Shumate
Dodd	Harris	Murphy	Smith (Russell)
Dunn	Harvey	Nettles	Smith (St. Clair)
Edwards	Hawkins	Nichols	Solomon
Engel	Hearn	Oakley	Sorrell
Faulk	Ingram	Oden	Speaks
Ferguson	Jenkins	Owens	Steagall
Ford	Johnson (Hardaway)	Perry	Sullivan
Franklin	Johnson (J. T. Tom)	Pierce	Taylor
Gilchrist	Johnston (Leonard)	Powell	Thomas
Gilmer	Jones (Covington)	Pruitt	Torbert
Glass	Jones (Monroe)	Ramey	Turner
Goldthwaite	Lee	Rast	Turnham
Goodwyn	Locke	Ray	Vickers

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Jones (Monroe) leave of absence was granted to Mr. Rozelle because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the tenth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the tenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the tenth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 131. To validate the incorporation of municipalities attempted to be organized in territory of less than 1,000 inhabitants, in which in any election held for the purpose of incorporation, since June 30, 1961, a majority of the electors participating in said election voted in favor of incorporation, but which election may have been irregular because of failure to comply with requirements as to publication or posting or any other procedures required by law.

Also:

H. 137. To amend Act No. 294, H. 707, Regular Session 1959 (Acts 1959, vol. 1, p. 863), an act levying county sales and use taxes for public school purposes in Greene County, so as to provide an exemption from such taxes to any person, firm, or corporation establishing a manufacturing, compounding, processing or other industrial plant, mine or quarry within the county.

Also:

H. 31. To amend Act No. 343 of the legislature of Alabama of 1953, approved August 17, 1953, (Acts of Alabama of 1953, page 404 et seq.).

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 31. To amend Act No. 343 of the legislature of Alabama of 1953, approved August 17, 1953, (Acts of Alabama of 1953, page 404 et seq.).

Also:

H. 131. To validate the incorporation of municipalities attempted to be organized in territory of less than 1,000 inhabitants, in which in any election held for the purpose of incorporation, since June 30, 1961, a majority of the electors participating in said election voted in favor of incorporation, but which election may have been irregular because of failure to comply with requirements as to publication or posting or any other procedures required by law.

Also:

H. 137. To amend Act No. 294, H. 707, Regular Session 1959 (Acts 1959, vol. 1, p. 863), an act levying county sales and use taxes for public school purposes in Greene County, so as to provide an exemption from such taxes to any person, firm, or corporation establishing a manufacturing, compounding, processing or other industrial plant, mine or quarry within the county.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present,

signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 103. To provide for the distribution and use of revenue received from the property tax levied as authorized by Amendment CCII of the Constitution of Alabama 1901 in any county having a population of not less than 96,000 nor more than 106,000.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Webb:

S. 67. To provide for branch banking in Baldwin County; authorizing any bank located in the county to establish one or more branches, additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business at Daphne in said county.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BALDWIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for branch banking in Baldwin County; authorizing any bank located in the county to establish one or more branches, additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and the doing of a general banking business at Daphne in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank engaged in a general banking business in Baldwin County may establish, maintain, and operate within the limits of the municipality of Daphne, in said county, one or more branches, or additional offices, or places of business, for the receipt of deposits, payment of checks, lending of money, and the doing of a general banking business, provided that such bank, before the establishment of any such branch, or additional office or place of business, shall first obtain the approval and consent of the state superintendent of banks.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Frances G. Crawford, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of the The Fairhope Courier, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1962.

FRANCES G. CRAWFORD.

Sworn to and subscribed before me June 27, 1962.

DOROTHY ALLEGRI,
Notary Public, Baldwin County.
My Commission Expires September 17, 1963.

Also:

By Mr. Caffey:

S. 68. Relating to counties having populations of not less than 300,000

nor more than 500,000; providing special assistants for sheriffs of such counties.

Also:

By Mr. Crawford:

S. 69. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 16,500 nor more than 17,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 67. Local Legislation No. 1

S. 68. Local Legislation No. 1

S. 69. Local Legislation No. 1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 120. To provide further for the compensation of election officials in each county having a population of not less than 110,000 nor more than 160,000, according to the 1960 or any subsequent federal decennial census.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Roberts the House concurred in and adopted the Senate substitute for the bill, H. 120, said Senate substitute being as follows:

A BILL TO BE ENTITLED AN ACT

To provide further for the compensation of election officials in each county having a population of not less than 110,000 nor more than 160,000, according to the 1960 or any subsequent federal decennial census.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, the officers appointed to hold elections, upon proper proof of service rendered, shall each be entitled to four dollars (\$4) a day in addition to all other compensation provided for by law. In case of a municipal election or primary, the additional compensation shall be paid by the city or town holding the election or primary; in all other cases the additional compensation shall be paid by the county and no part thereof shall be paid or refunded by the state.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Dickson	Harvey	Pierce
Adams	Dodd	Hawkins	Powell
Albea	Dunn	Hearn	Ramey
Avery	Edwards	Ingram	Ray
Bailey	Engel	Jenkins	Reynolds (Chambers)
Barnett	Faulk	Johnson (Hardaway)	Reynolds (Madison)
Bassett	Ford	Johnson (J. T. Tom)	Roberts
Bevill	Franklin	Johnston (Leonard)	Rogers (Macon)
Brannan	Gilchrist	Jones (Covington)	Rogers (Mobile)
Branyon	Gilmer	Jones (Monroe)	Salter
Brewer	Glass	Long (Perry)	Sessions
Britton	Goldthwaite	McClendon (Chambers)	Shumate
Broadfoot	Gordon	McLendon (Bullock)	Solomon
Brooks	Grant	Martin	Sorrell
Cabiness	Gross	Meade	Steagall
Camp	Grouby	Merrill	Sullivan
Casey	Hain	Morrow	Taylor
Cates	Hanby	Nettles	Torbert
Cook	Hankins	Oakley	Turner
Copeland	Hardy	Oden	Turnham
Cornett	Harris	Owens	Vickers
Daniel			

—85

And said bill, H. 120, as amended by the Senate substitute, was again read at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Albea	Bailey	Bassett
Adams	Avery	Barnett	Bevill

Brannan	Franklin	Johnson (J. T. Tom)	Ramey
Branyon	Gilchrist	Johnston (Leonard)	Ray
Brewer	Gilmer	Jones (Covington)	Reynolds (Chambers)
Britton	Glass	Jones (Monroe)	Reynolds (Madison)
Broadfoot	Goldthwaite	Lee	Roberts
Brooks	Gordon	Locke	Rogers (Macon)
Cabiness	Grant	Long (Perry)	Rogers (Mobile)
Camp	Gross	McClendon (Chambers)	Salter
Casey	Grouby	McLendon (Sullock)	Sessions
Cates	Hain	Martin	Shumate
Copeland	Hanby	Meade	Solomon
Cornett	Hankins	Merrill	Sorrell
Daniel	Hardy	Morrow	Steagall
Dickson	Harris	Nettles	Sullivan
Dodd	Harvey	Oakley	Taylor
Dunn	Hawkins	Oden	Torbert
Edwards	Hearn	Owens	Turner
Engel	Ingram	Pierce	Turnham
Faulk	Jenkins	Powell	Vickers
Ford	Johnson (Hardaway)		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 118. To apply only in counties in the state having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Roberts the House concurred in and adopted the Senate amendment to the bill, H. 118, said Senate amendment being as follows:

Amendment to H. 118

Strike out Section 7 of the bill and insert in lieu thereof the following:

Section 7. The chief clerk shall check off the list of qualified voters the name of each person as he is permitted to enter the voting area. The voter shall be issued a voter identification card which shall be presented to the assistant clerk in charge of the voting machine and surrendered to him

before the voter enters the voting machine. The identification cards shall each have printed on them the words "voter identification card", and the same shall contain a space in which shall be entered the name of the elector and the initials of the election officer who delivers the card. Identification cards shall be procured by the same officer who procures other election supplies and shall be paid for from the same funds that the cost of other election supplies are paid. The assistant clerk in charge of the voting machine shall require that each voter sign at the machine a poll list before he is allowed to enter the machine to vote. The statement of canvass as required by law shall be made for each voting machine. On each statement of canvass form which the inspector certifies he shall show separately for each machine the total number of votes cast on that machine as shown by the public counters thereon, and the total number of electors' names recorded on the poll list under the supervision of the clerk in charge of such machine. He shall also show thereon the total number of votes cast at the voting center and the total number of electors' names recorded on all the poll lists there. A separate poll list of persons casting challenged votes shall be kept by the officials.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Dunn	Hearn	Powell
Adams	Edwards	Ingram	Ramey
Albea	Engel	Jenkins	Ray
Avery	Faulk	Johnson (Hardaway)	Reynolds (Chambers)
Bailey	Ford	Johnson (J. T. Tom)	Reynolds (Madison)
Barnett	Franklin	Johnston (Leonard)	Roberts
Bassett	Gilchrist	Jones (Covington)	Rogers (Macon)
Bevill	Gilmer	Jones (Monroe)	Rogers (Mobile)
Brannan	Glass	Lee	Salter
Branyon	Goldthwaite	Long (Perry)	Sessions
Brewer	Gordon	McClendon (Chambers)	Shumate
Britton	Grant	McLendon (Bullock)	Solomon
Broadfoot	Gross	Martin	Sorrell
Brooks	Grouby	Meade	Steagall
Cabiness	Hain	Merrill	Sullivan
Camp	Hanby	Morrow	Taylor
Cates	Hankins	Nettles	Thomas
Copeland	Hardy	Oakley	Torbert
Cornett	Harris	Oden	Turner
Daniel	Harvey	Owens	Turnham
Dickson	Hawkins	Pierce	Vickers
Dodd			

—85

And said bill, H. 118, as amended by the Senate amendment, was again read at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Bevill	Camp	Dodd
Adams	Brannan	Cates	Dunn
Albea	Branyon	Cook	Edwards
Avery	Brewer	Copeland	Engel
Bailey	Britton	Cornett	Faulk
Barnett	Broadfoot	Daniel	Ford
Bassett	Brooks	Dickson	Franklin

Gilchrist	Hearn	Morrow	Rogers (Mobile)
Gilmer	Ingram	Nettles	Salter
Glass	Jenkins	Oakley	Sessions
Goldthwaite	Johnson (Hardaway)	Oden	Shumate
Gordon	Johnson (J. T. Tom)	Owens	Solomon
Grant	Jones (Covington)	Pierce	Sorrell
Gross	Jones (Monroe)	Powell	Steagall
Grouby	Lee	Ramey	Sullivan
Hain	Long (Terry)	Rast	Taylor
Hanby	McClendon (Chambers)	Ray	Thomas
Hankins	McLendon (Bullock)	Reynolds (Chambers)	Torbert
Hardy	Martin	Reynolds (Madison)	Turner
Harris	Meade	Roberts	Turnham
Harvey	Merrill	Rogers (Macon)	Vickers
Hawkins			

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BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 48. Relating to the Partlow State School for Mental Deficients; changing the name of such institution to Partlow State School and Hospital.

S. 60. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 18,000 nor more than 19,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

S. 62. To abolish the City Court of Demopolis, an inferior court established in lieu of justices of the peace for the Demopolis precinct, Marengo County, and to reestablish the office of justice of the peace in that precinct; providing for the election or appointment of two justices of the peace for the precinct, and prescribing their jurisdiction, powers, and duties.

H. 173. To provide that the laws governing the County wide Civil Service System of Mobile County, Alabama shall apply to the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, in the office of the Clerk of the Circuit Court of Mobile County, Alabama, and to provide for the person holding the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, to be placed on the employment roster of the Civil Service System of Mobile County and to be placed in the proper class and salary level.

S. 64. Relating to the municipality of Hamilton, in Marion County, Alabama: To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Hamilton, Alabama.

Mr. Perry, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following

bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 57. To create a Local Government Commission in each county in the State having a population of 500,000 or more, according to the 1960 or any succeeding decennial Federal census, to provide for the membership, organization, functions, powers and duties of such Commission, to provide for the financing of such Commission's work by appropriation from the County and each municipality therein, and the receipt by the Commission of donations, to provide for the submission of recommended municipal mergers, annexations or changes in form of government to a vote of the qualified voters affected thereby, and in the event of a favorable vote, the effectuation of such mergers, annexations or changes in form of government, and to provide for advisory referenda.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Thomas and Lee:

H. 175. To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties.

Local Legislation No. 1.

By Mr. Speaks (with notice and proof):

H. 176. TO PROVIDE FURTHER FOR THE PURGING THE LISTS OF REGISTERED VOTERS IN CHILTON COUNTY; REQUIRING AND PRESCRIBING THE PROCEDURE FOR THE RE-IDENTIFICATION OF REGISTERED VOTERS; PLACING CERTAIN DUTIES ON THE BOARD OF REGISTRARS, JUDGE OF PROBATE, AND THE COUNTY GOVERNING BODY RELATIVE TO THE RE-IDENTIFICATION OF REGISTERED VOTERS; AND PROVIDING A PENALTY FOR WILLFULLY MAKING A FALSE STATEMENT IN CONNECTION WITH RE-IDENTIFICATION.

Local Legislation No. 1.

Notice and Proof H. 176:

STATE OF ALABAMA
COUNTY OF CHILTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage and enactment will be made, to-wit:

AN ACT

To provide further for the purging the lists of registered voters in Chilton County; requiring and prescribing the procedure for the reidenti-

fication of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of Chilton County is hereby directed to purge all lists of the registered electors in the county to the end that the names of all persons who are deceased or nonresidents of the county, or have otherwise become disqualified from voting in Chilton County, shall be removed from such lists, and that the name of each qualified elector shall appear only on the list of qualified electors for the beat in which he resides.

Section 2. The board of registrars shall omit and remove from the lists of qualified electors of the county the name of any person who fails to reidentify himself, in the manner prescribed herein, before the first day of January, 1963. No person whose name is removed from the list of qualified electors as herein provided shall cease permanently to be a qualified elector nor be subject to re-registration, but shall be subject only to the requirement that he reidentify himself as a duly registered elector before being listed on the list of qualified electors in the county, and before being entitled to vote.

Section 3. Prior to the first day of January, 1963, the board of registrars of Chilton County is hereby authorized, directed, and required to visit each beat in the county at least once, and more often if necessary, and remain there at least one day from nine o'clock in the morning until five o'clock in the afternoon, for the purpose of enabling qualified and registered voters residing in the beat to appear before the board and reidentify themselves. The board shall give at least ten days notice, by advertisement in a newspaper published in the county, of the time when, and the place in the beat where, they will attend for the purpose of enabling voters to appear and reidentify themselves. Upon failure to give such notice, or to attend any appointment made by them in any beat, they shall, after like notice, fill new appointments. The board shall remain in session for thirty days. During the 30 day session the board shall visit each beat on at least one day and the remainder of the time may be divided as the board of registrars deem necessary, to enable the qualified electors of the county to appear and reidentify themselves in the manner prescribed herein. If in the opinion of the board of registrars additional time is necessary, the governing body of the county may at their discretion grant additional time not to exceed ten (10) additional days.

Section 4. Each member of the board of registrars shall receive ten dollars per day, for each day's attendance upon the special sessions of the board required under the provisions of this Act; but if such special session is held on the same day a regular session is required to be held under the laws of this State, registrars shall receive only one per diem allowed for performing their regular duties, it being the intent and purpose of this Act that registrars shall be entitled to receive only one per diem allowance for one day's service. If one or more of the members of the board shall refuse neglect, or be unable to serve, or if a vacancy or vacancies occur in the membership of the board from any cause, the Governor, State Auditor, and Commissioner of Agriculture and Industries, or a majority of them shall forthwith make other appointments to fill such vacancies.

Section 5. The voter may reidentify himself by appearing in person before the board of registrars or by appearing before the judge of probate,

or either of the clerks in the office of the judge of probate, or before the board of registrars in regular session, and answering such questions and submitting such proof under oath, as the board may require in order to establish the voter's identity, place of legal residence, and the fact that the voter has not become disqualified from voting in the county. Provided, however, that a member of the armed forces of the United States of America or his spouse may reidentify himself in person or by United States mail on application as provided by the board of registrars.

Section 6. The board of registrars shall meet on the first Monday in January, 1963, for the purpose of purging the registration lists and the names of all persons who have failed to appear and reidentify themselves in the manner herein prescribed shall be stricken from the lists, provided, however, that said board shall not strike the name of any person, or of the spouse of any persons, known by any member of said board, or made known to the said board by the written affidavit of another qualified elector, to be in active duty of any of the armed forces of the United States of America, and to be stationed, or to be living with her or his spouse, as the case may be, outside of Chilton County, Alabama, during the period of time from the effective date hereof to January 1, 1963.

Section 7. Any qualified elector of the county who shall have his name omitted or removed from the list of qualified electors in the county by failure to appear and reidentify himself as herein provided shall be entitled to have his name restored to the list of qualified electors by appearing in person at the office of the board of registrars, or at the office of the judge of probate, and answering such questions and submitting such proof, under oath, as the board may require to establish the voter's identity, place of legal residence, and the fact that the voter has not become disqualified from voting in the county. Provided, however, that this Act shall not be construed or applied to impair or deny the right to vote in person or by absentee ballot of any person or of the spouse of any person, now a qualified elector of said county, who is in active duty of any of the armed forces of the United States of America and stationed, and, as to the spouse, who is living with her or his husband or wife as the case may be, outside of Chilton County, Alabama, during the period of time from the effective date hereof to January 1, 1963.

Section 8. The Board of Revenue and Control of Chilton County is hereby authorized, directed, and required to furnish the board of registrars and probate judge with the supplies, equipment, maps, printed forms, stationery, and newspaper advertisements necessary for the reidentification of voters as herein provided.

Section 9. The questionnaire to reidentify a voter shall be in substantially the following form:

VOTERS REIDENTIFICATION QUESTIONNAIRE

Chilton County, Alabama

Date _____, 196_____

Name _____
 First Middle Last

Legal Residence Address _____
 Street

City or Town _____ State _____

Date of Birth _____ Sex _____ Color _____

Place of Birth.....

Occupation.....

Name of Employer.....

I now vote and I am a qualified elector in precinct or Beat No., Box No., Chilton County, and I have not been disqualified from voting in this county. I am not a qualified voter in any other county in the State of Alabama or in any other state in the United States.

I have resided in Precinct or Beat No. for the past three months.

Signed.....

Signature of Voter

Sworn to and subscribed before me this of, 196...

Registrar—Judge of Probate.

Section 10. Any person who willfully makes a false statement to the board of registrars, or any duly authorized person, in reidentifying himself as a qualified elector in the manner provided herein shall be guilty of perjury, and upon conviction thereof shall be punished by imprisonment in the penitentiary for not less than one nor more than five years.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this Act are repealed.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF CHILTON

Personally appeared before the undersigned Francis W. Speaks, Notary Public in and for said county and state, T. E. Wyatt, Publisher of The Union-Banner, a newspaper published at Clanton, County of Chilton, State of Alabama, who, being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in its issues of: 14 day of June, 1962; 21 day of June, 1962; 28 day of June, 1962; 5 day of July, 1962.

T. E. WYATT, Publisher.

Subscribed and sworn to before me this 5 day of July, 1962.

FRANCIS W. SPEAKS,
Notary Public.

By Messrs. Locke, Morrow, Hawkins, Sessions and Perry (with notice and proof):

H. 177. Relating to the municipality of Kimberly in Jefferson Coun-

ty: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

Local Legislation No. 2.

Notice and Proof H. 177:

NOTICE

Notice is hereby given of intention to apply at the present special session of the Legislature of Alabama, for introduction and passage of a bill the substance of which, as distinguished from details, is and will be the substance, as distinguished from detail of the following:

LOCAL BILL WITH NOTICE AND PROOF

A BILL TO BE ENTITLED AN ACT

Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Kimberly in Jefferson County are hereby altered, rearranged, and extended to include within the corporate limits of the Town of Kimberly the following described territory situated in Jefferson County, Alabama, in addition to that already within the corporate limits, to-wit:

Part of the NE quarter of the SE quarter of Section 2, Township 15 South, Range 3 West, situated in Jefferson County, Alabama, more particularly described as follows:

Begin at the NE corner of said quarter-quarter section and run thence westerly along north line thereof for distance of 187.40 feet to a point on western line of the right-of-way of U. S. Highway 31 as same as presently laid out and constructed from point of beginning; thus continue westerly along the north line of quarter-quarter section for distance of 697.60 feet; thence turn angle of 90 degrees to left and run southwardly for a distance of 667.62 feet then turn angle of 90 degrees to left and run eastwardly for a distance of 631.81 feet to a point on the westerly line of aforementioned right-of-way of U. S. Highway 31; run thence northwardly along arc of curve which forms the westerly line of said right-of-way for a distance of 671.38 feet to point of beginning. Mineral and mining rights excepted.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie, who, being by me first

duly sworn, deposes and says that she is the Publisher of Alabama Legal Advertiser, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 9, 16, 23, 30, 1962, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 2 day of July, 1962.

O. H. PUTMAN, JR.,
Notary Public.
Notary Public, Alabama State at Large
My Commission Expires May 29, 1965.

By Messrs. Camp and Nichols:

H. 178. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 65,000 nor more than 90,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Local Legislation No. 1.

By Messrs. Shumate, Turnham, Beville and Guthrie:

H. 179. Relating to county officers and offices; prescribing the times when county offices shall be open or may be closed; superseding and repealing Act No. 74, H. 12, Regular Session 1945.

State Administration.

By Mr. Ferguson (with notice and proof):

H. 180. For the relief of John T. Lancaster, authorizing and requiring the county governing body of Tuscaloosa County, Alabama, to make an appropriation from the county treasury to compensate the said John T. Lancaster for certain damages.

Local Legislation No. 1.

Notice and Proof H. 180:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

For the relief of John T. Lancaster, authorizing and requiring the county governing body of Tuscaloosa County, Alabama, to make an appropriation from the county treasury to compensate the said John T. Lancaster for certain damages.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Board of Revenue or other like governing body of Tuscaloosa County, Alabama, is hereby authorized and required to appropriate from the county treasury, the sum of five thousand and No.-100 (\$5,000.00) Dollars, for the relief of John T. Lancaster, and to compensate him for damages for an injury inflicted upon him on the 25th day of February, 1961, wherein there was a defect in a county road causing the said John T. Lancaster to sustain injuries to his person in an automobile wreck where same wreck made him disabled for life.

Section 2. The said governing body of Tuscaloosa County is hereby authorized to draw its voucher on the county treasury for said sum and to pay the same to the said John T. Lancaster.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, June 18, June 25, and July 2, all in the year 1962.

BUFORD BOONE.

Sworn to and subscribed before me July 2nd, 1962.

LILLA COLLINS,
Title Notary Public.

By Mr. Self (with notice and proof):

H. 181. Relating to the municipality of Weston, in Marion County, Alabama: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Weston, Marion County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 181:

STATE OF ALABAMA COUNTY OF MARION

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the municipality of Weston, in Marion County, Alabama:

To alter, rearrange, and extend the boundaries and corporate limits of the Town of Weston, Marion County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The Boundaries of the municipality of Weston in Marion County, Alabama are hereby altered, rearranged, and extended to include within the corporate limits within the Town of Weston, Alabama, the following described territory, situated in Marion County, Alabama, to-wit:

SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 30; SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 29; SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 29; SW $\frac{1}{4}$, Section 29; N $\frac{1}{2}$ of NW $\frac{1}{4}$ Section 32; NW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 29; NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 29; All that part of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 29, lying north of State Highway 17; and S $\frac{1}{2}$ of NE $\frac{1}{4}$ Section 29, all in Township 10, Range 14, West.

Section 2. This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA MARION COUNTY

Personally appeared before me, the undersigned authority in and for said county and state, Oscar Roden, who, after being duly sworn, deposed and says:

My name is Oscar Roden. I am publisher of the Daily Northwest Alabamian, a newspaper of general circulation, published daily in Marion county, Alabama. The copy of publication hereto attached was published in said newspaper for 4 consecutive weeks, and the respective number and dates of said newspaper in which said publication was made are the following, to-wit:

No. 1 the 22nd day of May, 1962

No. 2 the 29th day of May, 1962

No. 3 the 5th day of June, 1962

No. 4 the 12th day of June, 1962

OSCAR RODEN,
Publisher.

Sworn and subscribed to before me this 5th day of July, 1962.

RUBY W. SELF,
Notary Public.

By Mr. Harris (with notice and proof):

H. 182. Relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Local Legislation No. 1.

Notice and Proof H. 182:

NOTICE OF LOCAL LEGISLATION

Notice is hereby given that a local act, law or bill will be introduced in the Legislature of the State of Alabama, at the Special Session beginning June 12, 1962, for the purpose of and in substance as follows:

An act relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Fort Payne in DeKalb County are hereby altered, re-arranged and extended to include within the corporate limits of the City of Fort Payne the following described territory, in addition to that already within the corporate limits, to-wit:

Beginning at the point in the South $\frac{1}{2}$ of Section 4, Township 7 South, Range 9 East of the Huntsville Meridian, where the east line of the west $\frac{1}{2}$ of said Section 4 intersects the northerly right-of-way line of Alabama Highway No. 35, run in an easterly direction with said right-of-way line of Highway No. 35 to the east line of said Section 4; thence run in a northerly direction, with the east line of said Section 4 to a point 750.0 feet south along said section line from the northeast corner of said Section 4; thence run N. 76 degrees 19' W., 1203.64 feet; thence N. 42 degrees 28' W., 1,204.26 feet; thence N. 37 degrees 52' E., 220.9 feet; thence N. 47 degrees 09' W., 951.0 feet to the easterly right-of-way line of the Alabama Great Southern Railway; thence run in a northeasterly direction with said easterly right-of-way line to a point on the projected north line of Lot 18 in the Hawkins Addition to the City of Fort Payne, Alabama; thence run in a northwesterly direction to the NW corner of Lot 18 and the easterly right-of-way line of DeKalb County Highway 137; thence run in a southwesterly direction with said right-of-way line to the centerline of Beeson Branch; thence run in a southwesterly direction with the centerline of Beeson Branch to the westerly right-of-way line of the Alabama Great Southern Railway; thence run in a southwesterly direction with said westerly right-of-way line to the North line of Section 4, Township 7 South, Range 9 East; thence run in an easterly direction with the north line of said Section 4 to the NE corner of the NW $\frac{1}{4}$ thereof; thence run in a southerly direction with the East line of the West $\frac{1}{2}$ of said Section 4 to the point where it intersects the northerly right-of-way line of Alabama Highway No. 35 and to the point of beginning.

Section 2. This act shall become effective immediately upon the passage and approval by the Governor or upon its otherwise becoming a law.

PUBLISHER'S CERTIFICATE

STATE OF ALABAMA

COUNTY OF DEKALB ss:

Personally appeared before the undersigned, a Notary Public, within and for said County and State, Doward N. Jones, publisher of The Times-Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published 4 consecutive issues in said newspaper in its issues of 6/12, 6/19, 6/26, 7/3, 1962.

DOWARD N. JONES,
Publisher.

Sworn to and subscribed before me this 5 day of July, 1962.

BEMA IGOU,
Notary Public.
My commission expires January 5, 1965

By Mr. Harris (with notice and proof):

H. 183. Relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Local Legislation No. 1.

Notice and Proof H. 183:

NOTICE OF LOCAL LEGISLATION

Notice is hereby given that a local act, law or bill will be introduced in the Legislature of the State of Alabama, at the Special Session beginning June 12, 1962, for the purpose of and in substance as follows:

Notice is hereby given that a local act, law or bill will be introduced in the Legislature of the State of Alabama, at the Special Session beginning June 12, 1962, for the purpose of and in substance as follows:

An act relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Fort Payne in DeKalb County are hereby altered, re-arranged and extended to include within the corporate limits of the City of Fort Payne the following described territory, in addition to that already within the corporate limits, to-wit:

All lands outside the previously delineated corporate limits but inside the following described area:

Beginning at the SE Corner of Section 26, Township 7 South, Range 8 East of the Huntsville Meridian in DeKalb County, Alabama, run north-westwardly to the NW corner of said Section 26; thence run northeastwardly to the NE corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13, Township 7 South, Range 8 East; thence run northwestwardly to the NE corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 11, Township 7 South, Range 8 East; thence run northeastwardly to the NE corner of the SW $\frac{1}{4}$ of Section 29, Township 6 South, Range 9 East; thence run southeastwardly to the SW corner of Section 28, Township 6 South, Range 9 East; thence run eastwardly to the SE corner of said Section 28; thence run northeastwardly to the NE corner of the SW $\frac{1}{4}$ of Section 27, Township 6 South, Range 9 East; thence run southeastwardly to the SE corner of Section 27, Township 6 South, Range 9 East; thence run southwestwardly to the NE corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34, Township 6 South, Range 9 East; then run southeastwardly to the NE corner of the SE $\frac{1}{4}$ of Section 3, Township 7 South, Range 9 East; thence run southwestwardly to the SW corner of the SE $\frac{1}{4}$ of Section 17, Township 7 South, Range 9 East; thence run northwestwardly to the NE corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 17; thence run in a southwestwardly to the SE corner of Section 26, Township 7 South, Range 8 East and the point of beginning.

Section 2. This act shall become effective immediately upon the passage and approval by the Governor or upon its otherwise becoming a law.

PUBLISHER'S CERTIFICATE

STATE OF ALABAMA
COUNTY OF DEKALB ss:

Personally appeared before the undersigned, a Notary Public, within and for said County and State, Doward N. Jones, publisher of The Times-

Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published 4 consecutive issues in said newspaper in its issues of 6/12, 6/19, 6/26, 7/3, 1962.

DOWARD N. JONES,
Publisher.

Sworn to and subscribed before me this 5 day of July, 1962.

BEMA IGOU,
Notary Public.
My commission expires January 5, 1965.

By Messrs. Nichols and Camp:

H. 184. To authorize and direct the Alabama Education Authority to allocate and distribute a part of the earnings or income from the investment of that part of the proceeds of bonds, issued by said Authority under Act No. 126, H. 15, Second Special Session 1959 (Acts 1959, p. 369), not currently needed for the purpose for which such bonds were issued, to the Alabama Institute for Deaf and Blind; and to provide for the use of such money for school building purposes upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959, Second Special Session, p. 369.

State Administration.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Roberts:

H. R. 24. WHEREAS an important constitutional question has arisen in connection with the pending legislative apportionment bill, H. 30, which would fix the number of senators at 35, redistrict the State into 35 senatorial districts, constitute a single county, Jefferson, as the 11th, 12th, 13th, 14th, 15th, 16th, and 17th senatorial districts, and provide for the election of a senator from each of said districts; and

WHEREAS H. 30 would likewise provide for the election of three senators for Mobile County and two for Montgomery County; now therefore, be it

RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That the Honorable Chief Justice and Associate Justices of the Supreme Court of Alabama, or a majority of them, are respectfully requested to give the House their written opinions on the following constitutional question:

Would enactment of H. 30 in form as above stated constitute a violation of that part of Article 9, Section 200, of the Constitution of Alabama 1901 which provides that in the construction of senatorial districts "no county shall be divided between two districts, and no district shall be made up of two or more counties not contiguous to each other"?

RESOLVED FURTHER, that time being of the essence in this important matter, we earnestly urge the justices to give the foregoing request their immediate attention.

RESOLVED ALSO, That the Clerk of the House is directed to send forthwith a copy of this resolution to the Clerk of the Supreme Court, together with seven true copies of H. 30.

The motion of Mr. Roberts to suspend the rules in order to bring up for immediate consideration the above and foregoing H. R. 24 was lost.

Yeas 55; Nays 37.

Yeas:

Mr. Speaker	Copeland	Harris	Pierce
Adams	Dickson	Hawkins	Powell
Albea	Edwards	Hearn	Rast
Bailey	Engel	Ingram	Ray
Bevill	Ferguson	Johnson (Hardaway)	Reynolds (Madison)
Bishop	Franklin	Locke	Rogers (Macon)
Brannan	Gilchrist	McClendon (Chambers)	Rogers (Mobile)
Branyon	Glass	Meade	Salter
Brewer	Goldthwaite	Merrill	Self
Broadfoot	Goodwyn	Morrow	Sessions
Brooks	Gordon	Murphy	Taylor
Callahan	Gross	Oakley	Turner
Casey	Hanby	Oden	Turnham
Cates	Hankins	Perry	

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Nays:

Messrs.	Gilmer	Jones (Monroe)	Reynolds (Chambers)
Avery	Grant	Lee	Shumate
Bassett	Grouby	Long (Perry)	Smith (Russell)
Cabiness	Hain	McCorquodale	Smith (St. Clair)
Cook	Hardy	McLendon (Bullock)	Solomon
Daniel	Harvey	Martin	Speaks
Dodd	Jenkins	Nettles	Steagall
Dunn	Johnson (J. T. Tom)	Pruitt	Sullivan
Faulk	Johnston (Leonard)	Ramey	Thomas
Ford	Jones (Covington)		

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And said resolution H. R. 24 was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Rogers (Mobile), Murphy, Engel and Grouby:

H. J. R. 25. Whereas, death came Tuesday, June 26, 1962 to Judge Columbus Eugene Thomas; and

Whereas, Judge Thomas was a lifelong resident of Alabama, who was born February 11, 1869 at Gold Hill in Chambers County, educated in the schools of the state and resided in Prattville from early life; and

Whereas, Judge Thomas was a member of a distinguished Alabama family, being a brother of the late Justice William H. Thomas of the Supreme Court of Alabama and Honorable J. Render Thomas, present Clerk of the Supreme Court of Alabama, and the father of Judge Daniel H. Thomas, of the U. S. District Court; and

Whereas, Judge Thomas gave many years of able, efficient and faithful service to his city, county and state, serving as a member of the city council and as judge of the city court of Prattville, as probate judge and as chairman of the board of equalization of Autauga County, as state superintendent of banks, as a member of the board of trustees of the Department of Archives and History and as a member of the board of trustees of Tuskegee Institute; and,

Whereas, the people of Alabama have lost a distinguished citizen, a devoted public servant, and an outstanding Christian gentleman, now therefore

Be It Resolved by the Legislature of Alabama, Both Houses Thereof Concurring, That we express our profound grief in the passing of Judge Thomas and extend our most sincere sympathy to the members of his family.

Be It Further Resolved, That the Clerk of the House of Representatives is directed to send copies of this resolution to the family of Judge Thomas.

On motion of Mr. Rogers (Mobile) the rules were suspended and H. J. R. 25 was adopted.

Also:

By Mr. Gilchrist:

H. J. R. 26. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn on Friday, July 6, 1962, they do adjourn sine die.

The motion of Mr. Gilchrist to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 26 was lost.

Yeas 26; Nays 75.

Yeas:

Messrs.	Copeland	Hawkins	Rast
Bailey	Edwards	Jones (Covington)	Reynolds (Madison)
Bishop	Ford	Locke	Salter
Brannan	Gilchrist	Morrow	Self
Brewer	Goldthwaite	Nettles	Sessions
Broadfoot	Goodwyn	Perry	Turner
Callahan	Hanby	Pierce	

—26

Nays:

Mr. Speaker	Cabiness	Engel	Guthrie
Adams	Camp	Faulk	Hankins
Albea	Casey	Ferguson	Hardy
Avery	Cates	Franklin	Harris
Barnett	Cook	Gilmer	Harvey
Bassett	Cornett	Glass	Hearn
Bevill	Daniel	Gordon	Ingram
Branyon	Dickson	Grant	Jenkins
Britton	Dodd	Gross	Johnson (J. T. Tom)
Brooks	Dunn	Grouby	Johnston (Leonard)

Jones (Monroe)	Merrill	Ray	Speaks
Lee	Murphy	Reynolds (Chambers)	Steagall
Long (Lauderdale)	Nichols	Roberts	Sullivan
Long (Perry)	Oakley	Rogers (Macon)	Taylor
McClendon (Chambers)	Oden	Rogers (Mobile)	Thomas
McCorquodale	Owens	Shumate	Torbert
McLendon (Bullock)	Powell	Smith (Russell)	Turnham
Martin	Pruitt	Smith (St. Clair)	Vickers
Meade	Ramey	Solomon	

—75

And said resolution H. J. R. 26 was read and referred to the Standing Committee on Rules.

Also:

By Mr. Gilchrist:

H. J. R. 27. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that when the two Houses adjourn today, they adjourn to meet again on Friday, July 6, 1962, and when they adjourn on Friday, July 6, 1962, they adjourn to meet again on Saturday, July 7, 1962, and when they adjourn on Saturday, July 7, 1962, they adjourn to meet again on Monday, July 23, 1962.

AND BE IT FURTHER RESOLVED that the members of the Legislature shall not receive any salary or expenses for the period between July 7, 1962 and July 23, 1962.

The motion of Mr. Gilchrist to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 27 was lost.

Yeas 29; Nays 73.

Yeas:

Messrs.	Copeland	Hanby	Pierce
Adams	Edwards	Hawkins	Rast
Albea	Engel	Jones (Covington)	Salter
Bailey	Ford	Locke	Sessions
Bishop	Gilchrist	Long (Lauderdale)	Solomon
Brannan	Goldthwaite	Morrow	Steagall
Broadfoot	Goodwyn	Perry	Turner
Callahan	Hain		

—29

Nays:

Mr. Speaker	Casey	Gilmer	Ingram
Avery	Cates	Glass	Jenkins
Barnett	Cook	Gordon	Johnson (Hardaway)
Bassett	Cornett	Grant	Johnson (J. T. Tom)
Bevill	Daniel	Gross	Johnston (Leonard)
Branyon	Dickson	Grouby	Jones (Monroe)
Brewer	Dodd	Guthrie	Lee
Britton	Dunn	Hankins	Long (Perry)
Brooks	Faulk	Harris	McClendon (Chambers)
Cabiness	Ferguson	Harvey	McCorquodale
Camp	Franklin	Hearn	McLendon (Bullock)

Martin	Owens	Roberts	Speaks
Meade	Powell	Rogers (Macon)	Sullivan
Merrill	Pruitt	Rogers (Mobile)	Taylor
Murphy	Ramey	Self	Thomas
Nettles	Ray	Shumate	Torbert
Nichols	Reynolds (Chambers)	Smith (Russell)	Turnham
Oakley	Reynolds (Madison)	Smith (St. Clair)	Vickers
Oden			

—73

And said resolution H. J. R. 27 was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill 32, without the Governor's approval.

Respectfully submitted,
JOSEPH G. ROBERTSON,
Executive Secretary

JULY 5, 1962

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill 32, without my signature and approval.

Respectfully,
JOHN PATTERSON,
Governor

GOVERNOR'S MESSAGE

On motion of Mr. Perry consideration of the above and foregoing Message from the Governor, returning the bill, H. 32, without his approval, was postponed until the next legislative day.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill 96, with a suggested Executive Amendment.

Respectfully submitted,
JOSEPH G. ROBERTSON,
Executive Secretary

JULY 5, 1962

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the body in which it originated, House Bill 96, with the following suggested Executive Amendments:

Section 1 (a) as it presently reads allows the county to impose the tax upon the State of Alabama, including its Alcoholic Beverage Control Board and all institutions of higher learning, whether such institutions be denominational, state, county or municipal institutions; said Section 1(a) should be amended so as to read as follows:

"(a) Upon every person, firm or corporation engaged, or continuing within Colbert County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks), an amount equal to one-half of one per cent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer, on the gross sales of the business. Provided that where all the sales of a company are single sales of peanut products, milk products, coffee, and confections sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not to exceed ten cents (10c) per sale, and the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10c) per sale and shall file with the State Department of Revenue a sworn statement to that effect and shall keep and maintain records satisfactory to the State Department of Revenue, the gross receipts tax herein provided for shall not be levied."

This amendment is necessary so as to eliminate the county taxing the state and its institutions.

Sec. 1 (2)(b) of the bill relating to the rate of use tax on the purchase of machinery should be amended so as to read as follows:

"(b) An excise tax is hereby imposed on the storage, use or other consumption in Colbert County of any machine used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, purchased at retail on or after the effective date of this Act at the rate of three-eighths of one per cent of the sales price of any such machine; provided, that the term 'machines,' as herein used, shall include machinery which is used for mining, quarrying, compounding, processing, or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used."

This amendment is necessary to prevent discrimination relating to sales involving interstate purchases and makes the rate of tax the same as is provided in the case of sales tax authorized to be levied by the county. The bill as presently written provides a tax rate on machinery at three-

fourths of one per cent instead of three-eighths of one per cent as is the case involving the sales tax rate on the same items; the suggested amendment as set out above eliminates the discriminatory tax rate.

Section 1 (2) (c) of the bill relating to the rate of use tax on the purchase of automotive vehicles should be amended so as to read as follows:

“(c) An excise tax on the storage, use, or other consumption in Colbert County of any automotive vehicle, truck trailer, semi-trailer or house trailer purchased at retail on or after the effective date of this Act for storage, use or other consumption in the county at the rate of one-eighth of one per cent of the sales price of such automotive vehicle, truck trailer, semi-trailer, or house trailer.

“Where any used automotive vehicle or truck trailer, semi-trailer, or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.”

This amendment is necessary to prevent discrimination relating to sales involving interstate purchases and makes the rate of tax the same as is provided in the case of sales tax authorized to be levied by the county. The bill as presently written provides a tax rate on the purchase of automotive vehicles at one-fourth of one per cent instead of one-eighth of one per cent as is the case involving the sales tax rate on the same items; the suggested amendment as set out above eliminates the discriminatory tax rate.

Section 4 of the bill contains several objections, which will hereinafter be specifically pointed out, and should be amended so as to read as follows:

“Section 4. The taxes imposed by this Act shall be collected by the State Department of Revenue at the same time and along with the collection by the department of taxes levied and collected for the State of Alabama under Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments thereto, and all reports now required to be made to the Commissioner of Revenue of the State of Alabama shall on request of the chairman of the county governing body of Colbert County, be available for inspection by the chairman of the county governing body of Colbert County, or his designated agent, at reasonable times during business hours. The State Department of Revenue shall prepare and distribute such reports, forms, and other information as may be necessary for the collection of the additional taxes herein imposed, and shall have all the authority and duties in connection with such additional taxes as are now given by law to the department for the collection of state sales and use taxes under Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments thereto. It shall be the duty of the Commissioner of Revenue to pay into the state treasury all collections of taxes made hereunder, and one or before the tenth day of the following month the Commissioner of Revenue shall certify to the State Comptroller the amount of special taxes levied and collected under the authority of this Act for the use and benefit of Colbert County during the calendar month immediately preceding the making of such certificate to the State Treasurer; whereupon it shall be the duty of the State Comptroller to issue his warrant on the state treasury, payable to the custodian of the county school funds of Colbert County for the amount so certified by the Commissioner of Revenue as having been collected for the use and benefit of Colbert County and paid into the state

treasury. The Department of Revenue shall charge Colbert County for collecting the taxes levied by this Act the cost of making such collections which charge shall not exceed ten per cent of the amount collected. Such charge for collecting such taxes shall be deducted from the special sales and special use taxes collected before certifying the amount of special sales and special use taxes due Colbert County."

The purposes of amending Section 4 of the bill, as set out above, are to:

1. Correct the reference made in the first sentence of Section 4 to the Department of Revenue when it is obvious that references should have been made to the chairman of the county governing body requesting the inspection of the records to which reference is made.

2. The amendment will allow the Commissioner of Revenue reasonable time to report collections to the comptroller; as now written, it is practically impossible to make the certification of collection on or before the first day of the month following the collection made.

3. The amendment would allow the Department of Revenue to collect from the county the actual amount of cost necessary to reimburse said Department for the cost of collection; the amendment allows a rate not to exceed ten per cent of the amount collected.

The adoption of the above suggested amendments would remove my objections to the bill.

Respectfully,
JOHN PATTERSON
Governor of Alabama

GOVERNOR'S MESSAGE

On motion of Mr. Bishop, consideration of the suggested Executive Amendments to the bill, H. 96, as contained in the above and foregoing Message from the Governor, was temporarily postponed.

RESOLUTION

The following resolution was introduced:

By Mr. Vickers:

H. J. R. 28. Whereas the Tennessee-Tombigbee Waterway Development Compact between the State of Alabama and the State of Mississippi provides for the admission into such compact of any other state which is contiguous with any member state, subject to approval by the Legislature of each of the member states; and

Whereas the State of Tennessee has been admitted to this compact and hence the Commonwealth of Kentucky is now such a contiguous state and desires to be admitted into such compact; how therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA; That the admission of the Commonwealth of Kentucky into the Tennessee-Tombigbee Waterway Development Compact is hereby approved, provided the General Assembly of Kentucky approves the execution of the compact by

the Governor of Kentucky and makes provision for its pro rata share of the cost of administering the compact, and that the Commonwealth of Kentucky shall become a party to the compact when proof has been submitted to the Tennessee-Tombigbee Waterway Development Authority that the General Assembly of Kentucky has taken the above mentioned action, the Governor of the Commonwealth of Kentucky has executed the compact and the admission of the Commonwealth of Kentucky is approved by the Legislature of the State of Mississippi and by the General Assembly of the State of Tennessee.

Be It Further Resolved that the Secretary of State is hereby directed to transmit a duly certified copy of this resolution to the Governor of Mississippi, to the Governor of Tennessee and to the Governor of Kentucky.

On motion of Mr. Vickers the rules were suspended and H. J. R. 28 was adopted.

Yeas 73; Nays 16.

Yeas:

Mr. Speaker	Dodd	Jenkins	Pierce
Adams	Dunn	Johnson (Hardaway)	Powell
Albea	Edwards	Johnson (J. T. Tem)	Pruitt
Bailey	Engel	Johnston (Leonard)	Rast
Barnett	Faulk	Jones (Monroe)	Reynolds (Chambers)
Bassett	Ferguson	Lee	Reynolds (Madison)
Bishop	Franklin	Locke	Rogers (Macon)
Brannan	Gilchrist	Long (Lauderdale)	Rogers (Mobile)
Brewer	Goldthwaite	Long (Perry)	Self
Britton	Goodwyn	McClendon (Chambers)	Smith (Russell)
Broadfoot	Grant	McLendon (Bullock)	Solomon
Camp	Grouby	Meade	Steagall
Casey	Hain	Merrill	Sullivan
Cates	Hanby	Morrow	Thomas
Cook	Hankins	Murphy	Torbert
Copeland	Harvey	Nichols	Turner
Cornett	Hawkins	Oakley	Turnham
Daniel	Ingram	Owens	Vickers
Dickson			

—73

Nays:

Messrs.	Gross	Jones (Covington)	Ray
Avery	Guthrie	Martin	Salter
Bevill	Harris	Oden	Shumate
Cabiness	Hearn	Ramey	Smith (St. Clair)
Gordon			

—16

BILLS ON THIRD READING

H. 138. To fix a minimum salary for school bus drivers employed by the county superintendent of education or county board of education in any county having a population of not less than 22,500 nor more than 24,550.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Dunn	Jenkins	Pierce
Adams	Edwards	Johnson (Hardaway)	Powell
Albea	Engel	Johnson (J. T. Tom)	Ramey
Avery	Faulk	Johnston (Leonard)	Rast
Bailey	Ferguson	Jones (Covington)	Ray
Barnett	Ford	Jones (Monroe)	Reynolds (Chambers)
Bassett	Franklin	Lee	Reynolds (Madison)
Bevill	Gilchrist	Locke	Rogers (Macon)
Bishop	Gilmer	Long (Perry)	Rogers (Mobile)
Brannan	Glass	McClendon (Chambers)	Salter
Branyon	Goldthwaite	McCorquodale	Self
Brewer	Gordon	McLendon (Bullock)	Sessions
Britton	Grant	Martin	Smith (St. Clair)
Broadfoot	Gross	Meade	Solomon
Brooks	Grouby	Merrill	Sorrell
Cabiness	Hain	Morrow	Speaks
Camp	Hanby	Murphy	Steagall
Cates	Hankins	Nettles	Sullivan
Cook	Hardy	Nichols	Taylor
Copeland	Harris	Oakley	Thomas
Cornett	Harvey	Oden	Turner
Daniel	Hawkins	Owens	Turnham
Dickson	Hearn	Perry	Vickers
Dodd	Ingram		

—94

And the bill:

H. 161. To amend the title to and Section 1 of Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956 (as heretofore amended), entitled, "An act relative to municipalities in this state having a population of not less than 23,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof," so as to make said Act applicable to municipalities having a population of not

less than 8,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Engel	Jenkins	Pierce
Adams	Faulk	Johnson (Hardaway)	Powell
Albea	Ferguson	Johnson (J. T. Tom)	Ramey
Avery	Ford	Johnston (Leonard)	Rast
Bailey	Franklin	Jones (Covington)	Ray
Barnett	Gilchrist	Lee	Reynolds (Chambers)
Bassett	Gilmer	Locke	Reynolds (Madison)
Bevill	Glass	Long (Perry)	Roberts
Bishop	Goldthwaite	McClendon (Chambers)	Rogers (Macon)
Brannan	Goodwyn	McCorquodale	Rogers (Mobile)
Branyon	Gordon	McLendon (Bullock)	Self
Brewer	Grant	Martin	Smith (St. Clair)
Britton	Gross	Meade	Solomon
Brooks	Grouby	Merrill	Sorrell
Cabiness	Hain	Morrow	Speaks
Camp	Hankins	Murphy	Steagall
Cates	Hardy	Nettles	Sullivan
Cook	Harris	Nichols	Taylor
Cornett	Harvey	Oakley	Thomas
Daniel	Hawkins	Oden	Turner
Dickson	Hearn	Owens	Turnham
Dunn	Ingram	Perry	Vickers
Edwards			

—89

BILLS POSTPONED

On motion of Mr. Rogers (Mobile), consideration of the bills, H. 164 and H. 165, was postponed until the next legislative day.

And the bill:

H. 167. To amend Act No. 121 of the Special Session of the Legislature of Alabama of 1961, entitled "An Act To amend further Act No. 539, S. 253, approved July 23, 1931, providing for a board of education for Winston County (Local Acts of Alabama 1931, p. 257) so as to provide further for the manner of election of such board; to prescribe their term of office; and to provide for selection of a chairman of the board," approved September 15, 1961.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Albea	Bailey	Bassett
Adams	Avery	Barnett	Bevill

Bishop	Franklin	Johnson (J. T. Tom)	Ramey
Brannan	Gilchrist	Johnston (Leonard)	Rast
Branyon	Gilmer	Jones (Covington)	Ray
Brewer	Glass	Jones (Monroe)	Reynolds (Chambers)
Britton	Goldthwaite	Lee	Reynolds (Madison)
Broadfoot	Goodwyn	Locke	Rogers (Macon)
Brooks	Gordon	Long (Lauderdale)	Rogers (Mobile)
Cabiness	Grant	Long (Perry)	Salter
Camp	Gross	McClendon (Chambers)	Self
Casey	Grouby	McCorquodale	Sessions
Cates	Hain	McLendon (Bullock)	Smith (St. Clair)
Cook	Hanby	Meade	Solomon
Cornett	Hankins	Merrill	Sorrell
Daniel	Hardy	Nettles	Speaks
Dickson	Harris	Nichols	Steagall
Dodd	Harvey	Oakley	Sullivan
Dunn	Hawkins	Oden	Taylor
Edwards	Hearn	Owens	Thomas
Engel	Ingram	Perry	Turner
Faulk	Jenkins	Pierce	Turnham
Ferguson	Johnson (Hardaway)	Powell	Vickers
Ford			

—93

And the bill:

H. 168. To further provide for the election of a County Superintendent of Education of Winston County, Alabama, by the qualified voters thereof; to prescribe and fix the duties, qualifications, term of office, and compensation of such Superintendent, and to provide for the filling of vacancies in said office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Dunn	Hawkins	Pierce
Adams	Edwards	Hearn	Powell
Albea	Engel	Ingram	Ramey
Bailey	Faulk	Jenkins	Rast
Barnett	Ferguson	Johnson (J. T. Tom)	Ray
Bassett	Ford	Johnston (Leonard)	Reynolds (Chambers)
Bevill	Franklin	Jones (Covington)	Reynolds (Madison)
Bishop	Gilchrist	Jones (Monroe)	Rogers (Macon)
Brannan	Gilmer	Lee	Rogers (Mobile)
Branyon	Glass	Locke	Salter
Brewer	Goldthwaite	Long (Lauderdale)	Self
Britton	Goodwyn	Long (Perry)	Sessions
Broadfoot	Gordon	McClendon (Chambers)	Smith (St. Clair)
Brooks	Grant	McCorquodale	Solomon
Cabiness	Gross	McLendon (Bullock)	Sorrell
Camp	Grouby	Meade	Speaks
Casey	Guthrie	Merrill	Steagall
Cates	Hain	Nettles	Sullivan
Cook	Hanby	Nichols	Taylor
Copeland	Hankins	Oakley	Torbert
Cornett	Hardy	Oden	Turner
Daniel	Harris	Owens	Turnham
Dickson	Harvey	Perry	Vickers
Dodd			

—93

And the bill:

H. 169. To provide for additional meetings of board of registrars in counties having populations of not less than 46,475 nor more than 48,000 inhabitants.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Dodd	Hearn	Powell
Adams	Dunn	Ingram	Ramey
Albea	Edwards	Jenkins	Rast
Avery	Engel	Johnson (Hardaway)	Ray
Bailey	Faulk	Johnson (J. T. Tom)	Reynolds (Chambers)
Barnett	Ferguson	Johnston (Leonard)	Reynolds (Madison)
Bassett	Ford	Jones (Covington)	Rogers (Macon)
Bevill	Franklin	Jones (Monroe)	Rogers (Mobile)
Bishop	Gilchrist	Lee	Salter
Brannan	Gilmer	Long (Lauderdale)	Self
Branyon	Glass	Long (Perry)	Sessions
Brewer	Goldthwaite	McClendon (Chambers)	Shumate
Britton	Goodwyn	McCorquodale	Smith (St. Clair)
Broadfoot	Gordon	McLendon (Bullock)	Solomon
Brooks	Grant	Martin	Sorrell
Cabiness	Gross	Meade	Steagall
Camp	Grouby	Merrill	Sullivan
Casey	Guthrie	Nettles	Taylor
Cates	Hain	Nichols	Thomas
Cook	Hanby	Oakley	Torbert
Copeland	Hankins	Oden	Turner
Cornett	Hardy	Owens	Turnham
Daniel	Harris	Perry	Vickers
Dickson	Harvey	Pierce	

—95

RECESS

On motion of Mr. Smith (Russell) the House recessed until 2:30 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:30 o'clock P. M. having arrived, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 22. Relative to the procurement of the Battleship USS ALABAMA for a shrine in Alabama.

Also:

H. J. R. 23. Relative to naming a new road through the town of Five Points "Godfrey Drive."

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Wyatt:

S. 41. To amend Act No. 153, H. 449, approved June 30, 1953 (Acts of Alabama 1953, vol. 1, p. 195), as amended by Act No. 275, H. 451, approved August 7, 1961, and fixing the minimum salary of firemen and policemen in certain cities classified on a population basis.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 41. Local Legislation No. 1

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 118. To apply only in counties in the state having a population of not less than 110,000 nor more than 160,000 inhabitants according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

H. 120. To provide further for the compensation of election officials in each county having a population of not less than 110,000 nor more than 160,000, according to the 1960 or any subsequent federal decennial census.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RECESS

On motion of Mr. Pruitt the House recessed for one hour.

Yeas 67; Nays 31.

Yeas:

Mr. Speaker	Dodd	Jones (Covington)	Reynolds (Chambers)
Adams	Engel	Jones (Monroe)	Reynolds (Madison)
Albea	Faulk	Lee	Rogers (Macon)
Avery	Ford	Long (Perry)	Salter
Bailey	Franklin	McClendon (Chambers)	Shumate
Barnett	Gilmer	McCorquodale	Smith (Russell)
Bassett	Glass	McLendon (Bullock)	Solomon
Bevill	Goodwyn	Martin	Sorrell
Branyon	Grant	Meade	Steagall
Britton	Hain	Merrill	Sullivan
Camp	Hanby	Oden	Taylor
Casey	Hankins	Owens	Thomas
Cates	Harris	Pierce	Torbert
Cook	Harvey	Powell	Turner
Copeland	Hearn	Pruitt	Turnham
Cornett	Ingram	Ramey	Vickers
Daniel	Jenkins	Ray	

—67

Nays:

Messrs.	Dickson	Hawkins	Oakley
Bishop	Dunn	Johnson (Hardaway)	Perry
Brannan	Edwards	Johnston (Leonard)	Rast
Brewer	Ferguson	Locke	Roberts
Broadfoot	Gilchrist	Long (Lauderdale)	Rogers (Mobile)
Brooks	Goldthwaite	Morrow	Self
Cabiness	Gross	Murphy	Sessions
Callahan	Hardy	Nettles	Speaks

—31

The House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 25. Relative to the death of Judge Columbus Eugene Thomas.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. deGraffenried:

S. J. R. 7. Whereas, H. Pettus Randall of Tuscaloosa has been elected president of Key Club International, a high school boys' service club sponsored by Kiwanis International; and

Whereas, Mr. Randall exemplifies all that is high and honorable in the youth of Alabama and the honor he has won will redound to the benefit and credit of the State; now therefore BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do congratulate H. Pettus Randall most heartily on his recent election and wish him every success as president of Key Club International.

Be It Further Resolved, That an invitation is hereby extended to Mr. Randall to visit the capitol during the present session of the Legislature, and the privileges of the floor of both Houses are extended to him.

Be It Resolved Further, That a copy of this resolution be sent to Mr. Randall.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Callahan the rules were suspended and the House concurred in and adopted the S. J. R. 7 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Graham and Samford:

S. J. R. 8. WHEREAS, the citizens of Prattville and Autauga County are highly gratified and honored at the selection of Miss Melanie Walthall as the Alabama Dary Princess and equal pride is shown by the people of Salem and Lee County in Miss Darlene Woodall, selected as alternate Princess.

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING That these young ladies be commended for their

beauty, charm, and talent and extended greetings for the great industry that they represent.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Miss Walthall and Miss Woodall by the Secretary of the Senate.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Grouby the rules were suspended and the House concurred in and adopted the S. J. R. 8 set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 22. Relative to the Battleship USS ALABAMA.

Also:

H. J. R. 23. Relative to naming the new road in Cherokee County, Alabama "Godfrey Drive".

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS POSTPONED

On motion of Mr. Bevill, consideration of the bills, H. 60 and pending amendment, and H. 61, was postponed until the next legislative day.

On motion of Mr. Roberts, consideration of the bill, H. 35, was postponed until the next legislative day.

RECESS

On motion of Mr. Cornett the House recessed for one hour.

Yeas 47; Nays 45.

Yeas:

Messrs.	Faulk	Ingram	Rast
Adams	Ferguson	Jones (Monroe)	Ray
Avery	Ford	Lee	Rogers (Macon)
Bailey	Gilchrist	Long (Perry)	Self
Barnett	Goldthwaite	McClendon (Chambers)	Shumate
Bassett	Goodwyn	Martin	Smith (Russell)
Bishop	Gordon	Merrill	Steagall
Casey	Grant	Nettles	Sullivan
Cates	Gross	Pierce	Thomas
Copeland	Grouby	Powell	Torbert
Cornett	Hanby	Pruitt	Turnham
Daniel	Hankins	Ramey	Vickers

—47

Nays:

Messrs.	Edwards	Johnston (Leonard)	Perry
Branyon	Engel	Jones (Covington)	Reynolds (Chambers)
Brewer	Franklin	Locke	Reynolds (Madison)
Britton	Gilmer	Long (Lauderdale)	Roberts
Broadfoot	Hain	McCorquodale	Rogers (Mobile)
Cabiness	Hardy	McLendon (Bullock)	Salter
Callahan	Harris	Meade	Sessions
Camp	Hawkins	Morrow	Smith (St. Clair)
Cook	Hearn	Murphy	Sorrell
Dickson	Jenkins	Oakley	Speaks
Dodd	Johnson (Hardaway)	Owens	Turner
Dunn	Johnson (J. T. Tom)		

—45

The House reconvened. The Speaker called the House to order.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:20 P. M. On July 5, 1962

H. 31

H. 131

H. 137

H. 103

Delivered to the Governor at 2:40 P. M. On July 5, 1962

H. 118

H. 120

OAKLEY MELTON, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Pruitt, the House, in accordance with S. J. R. 6 heretofore adopted, adjourned until Friday, July 6, 1962, at ten o'clock A.M.

TWELFTH DAY

House of Representatives
Montgomery, Alabama
Friday, July 6, 1962

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Robert Strong, Minister, Trinity Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dunn	Jenkins	Ramey
Adams	Edwards	Johnson (Hardaway)	Rast
Albea	Engel	Johnson (J. T. Tom)	Ray
Avery	Faulk	Johnston (Leonard)	Reynolds (Chambers)
Bailey	Ferguson	Jones (Covington)	Reynolds (Madison)
Barnett	Ford	Jones (Monroe)	Roberts
Bassett	Franklin	Lee	Rogers (Macon)
Bevill	Gilchrist	Locke	Rogers (Mobile)
Bishop	Gilmer	Long (Lauderdale)	Salter
Brannan	Glass	Long (Perry)	Self
Branyon	Goldthwaite	McClendon (Chambers)	Sessions
Brewer	Goodwyn	McCorquodale	Shumate
Britton	Gordon	McLendon (Bullock)	Smith (Russell)
Broadfoot	Grant	Martin	Smith (St. Clair)
Brooks	Gross	Meade	Solomon
Cabiness	Grouby	Merrill	Sorrell
Callahan	Guthrie	Morrow	Speaks
Camp	Hain	Murphy	Steagall
Casey	Hanby	Nettles	Sullivan
Cates	Hankins	Oakley	Taylor
Cook	Hardy	Oden	Thomas
Copeland	Harris	Owens	Torbert
Cornett	Harvey	Perry	Turner
Daniel	Hawkins	Pierce	Turnham
Dickson	Hearn	Powell	Vickers
Dodd	Ingram	Pruitt	

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Jones (Monroe) leave of absence was granted to Mr. Rozelle because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eleventh legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the eleventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the eleventh legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 25. Relative to the death of Judge Columbus Eugene Thomas.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 7. Congratulating H. Pettus Randall on his election as president of Key Club International.

Also:

S. J. R. 8. Commending Miss Melanie Walthall and Miss Darlene Woodall on their selection as Alabama Dairy Princess and alternate.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

GOVERNOR'S MESSAGE

On motion of Mr. Perry consideration of the Message from the Governor set out in the Journal of the House on the last legislative day, return-

ing the bill, H. 32, without his approval, was postponed until the next legislative day.

GOVERNOR'S MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 96, said Governor's amendment being set out in the Journal of the House on the last legislative day.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Ford	Johnston (Leonard)	Rast
Adams	Gilchrist	Jones (Covington)	Reynolds (Madison)
Albea	Gilmer	Jones (Monroe)	Roberts
Avery	Glass	Long (Perry)	Rogers (Wacon)
Barnett	Gordon	McClendon (Chambers)	Rogers (Mobile)
Bassett	Grant	McCorquodale	Self
Bevill	Gross	McLendon (Bullock)	Sessions
Bishop	Grouby	Martin	Shumate
Brannan	Guthrie	Meade	Smith (Russell)
Branyon	Hanby	Merrill	Solomon
Britton	Hankins	Morrow	Sorrell
Brooks	Hardy	Murphy	Speaks
Camp	Harvey	Nettles	Steagall
Cornett	Hawkins	Oakley	Sullivan
Daniel	Hearn	Perry	Taylor
Dickson	Jenkins	Pierce	Torbert
Dodd	Johnson (Hardaway)	Powell	Turner
Dunn	Johnson (J. T. Tom)	Ramey	Vickers
Ferguson			

—73

Which was a majority of the whole number elected to the House.

And said bill:

H. 96. Relating to Colbert County; levying additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments and additions thereto; providing for the enforcement and collection of the taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; prescribing the purposes for which such proceeds may be used; and superseding Act No. 485, H. 1049, approved August 30, 1949 (Acts 1949, p. 704), the county sales and use tax law.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Avery	Bevill	Branyon
Adams	Barnett	Bishop	Britton
Albea	Bassett	Brannan	Broadfoot

Brooks	Grouby	McCorquodale	Rogers (Macon)
Cabiness	Guthrie	McLendon (Bullock)	Rogers (Mobile)
Camp	Hanby	Martin	Self
Copeland	Hankins	Meade	Sessions
Cornett	Hardy	Merrill	Shumate
Daniel	Harvey	Morrow	Solomon
Dickson	Hearn	Murphy	Sorrell
Engel	Jenkins	Nettles	Speaks
Ferguson	Johnson (Newaway)	Oakley	Steagall
Ford	Johnson (J. T. Tom)	Perry	Sullivan
Gilchrist	Johnston (Leonard)	Pierce	Taylor
Gilmer	Jones (Covington)	Powell	Torbert
Glass	Jones (Monroe)	Ramey	Turner
Gordon	Locke	Rast	Turnham
Grant	Long (Perry)	Reynolds (Madison)	Vickers
Gross	McClendon (Chambers)	Roberts	

—75

Which was a majority of the whole number elected to the House.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 67. To provide for branch banking in Baldwin County; authorizing any bank located in the county to establish one or more branches, additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business at Daphne in said county.

S. 69. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 16,500 nor more than 17,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

S. 68. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing special assistants for sheriffs of such counties.

H. 181. Relating to the municipality of Weston, in Marion County, Alabama: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Weston, Marion County, Alabama.

H. 175. To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties.

H. 176. To provide further for the purging the lists of registered voters in Chilton County; requiring and prescribing the procedure for the

re-identification of registered voters; placing certain duties on the Board of Registrars, Judge of Probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

H. 182. Relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

H. 183. Relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

S. 42. Relating to the office of solicitor of the Thirtieth Judicial Circuit; creating a solicitor's fund for the use of the circuit solicitor.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Martin (With Notice and Proof):

H. 185. To amend Act No. 368, H. 814, Regular Session 1953 (Acts 1953, Vol. I, p. 438) relating to an automobile expense allowance for the sheriff of Greene County; giving the Act retroactive effect.

Local Legislation No. 1.

Notice and Proof H. 185.

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF GREENE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 368, H. 814, Regular Session 1953 (Acts 1953, Vol. I, p. 438) relating to an automobile expense allowance for the sheriff of Greene County; giving the Act retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 368, H. 814, Regular Session 1953 (Acts 1953, Vol. I, p. 438), an act relating to an automobile expense allowance for the sheriff of Greene County, is hereby amended to read as follows:

"Section 1. The court of county commissioners, board of revenue, or other like governing body of Greene County, Alabama by whatever name known or called, is hereby authorized and directed to allow and pay to the sheriff of said county an amount not to exceed one hundred fifty dollars

(\$150.00) per month for expenses incurred by said sheriff in operation, upkeep, repair and maintenance of his privately owned automobile used on official business of the county."

Section 2. This Act shall have retrospective as well as prospective operation and shall be given retroactive effect to November 12, 1957. All payments made from the county treasury under this Act as amended are hereby ratified, validated, and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Greene Co. Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6-14, 6-21, 6-28, and 7-5, all in the year 1962.

R. K. MARTIN

Sworn to and subscribed before me July 5, 1962.

GENEVA L. MATTISON,
Title Notary Public.

By Messrs. Perry, Morrow, Sessions, Rast, Hawkins, Locke and Edwards
(With Notice and Proof):

H. 186. To further amend Act No. 551 of the Legislature of Alabama of 1953, approved September 9, 1953, Acts of Alabama of 1953, page 766, Et Seq., as heretofore amended.

Local Legislation No. 2.

Notice and Proof H. 186:

NOTICE

Notice is hereby given of intention to apply at the present special session of the Legislature of Alabama, for introduction and passage of a Bill the substance of which, as distinguished from details, is and will be the substance, as distinguished from detail of the following:

A BILL TO BE ENTITLED AN ACT

TO FURTHER AMEND ACT NO. 551 OF THE LEGISLATURE OF ALABAMA OF 1953, APPROVED SEPTEMBER 9, 1953, ACTS OF ALABAMA OF 1953, PAGE 766, ET. SEQ., AS HERETOFORE AMENDED.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 551 of the Legislature of Alabama of 1953, approved September 9, 1953, Acts of Alabama of 1953, page 766, et seq., is hereby amended to read as follows:

Section 1. DEFINITIONS: In this Act words used in the masculine gender shall include the feminine and neuter gender and words used in the neuter gender shall include the masculine and feminine genders. The following words, terms and phrases, wherever used in this Act, shall have the meanings respectively ascribed to them in this Section unless the context plainly indicates a contrary meaning. (a) "Retirement System," or "The Retirement System," The Employees' Retirement System of Jefferson County. (b) "Board" or "The Board," the Pension Board provided for in this Act to administer the retirement system. (c) "County," Jefferson County. (d) "Employee," only those persons employed by Jefferson County at a monthly wage or salary payable at regular intervals who were members of the retirement system as provided under Act No. 810, 1951 General Acts, page no. 1411, approved September 11, 1951. (e) "Member," any person who is a member of the retirement system as provided in this act. (f) "Creditable Service," service as an employee during which time he shall have made contributions hereunder and same shall have been matched by the County and for which time he has not had a refund or contribution made by him; also additionally, service as an employee of the County prior to the time a retirement system became operative therein but not in excess of twenty years. Also additionally, service as an employee of a License Inspector prior to the time a retirement system became operative in the County not exceeding twenty years whether such service was under the State of Alabama or under the County. An employee who has been a member of this system and who has thereafter become or who shall hereafter become an officer of the County may elect to continue to be a member of the said retirement system in the manner and subject to the conditions hereinafter stated; and if he does so elect then in the computation of his creditable service there shall be included his service as an officer of the County during which time he shall have made contributions hereunder and the same shall have been matched by the County.

No employee who has withdrawn his contributions to the fund upon his ceasing to be an employee shall be eligible to continue to be a member of the system as an officer of the County. Any person who as an employee has been a member of the system and who has not withdrawn his contribution to the fund and who has become an officer of the County, or who shall become an officer of the County, may elect to continue as a member of the system by filing an election in writing to do so on a form furnished by the Personnel Director for that purpose within the time hereinafter provided. A member granted the retirement benefit for his service as an employee may continue to be a member of the system as an officer provided he elects to do so within the time herein specified and prior to there being paid to him any retirement benefit from the fund. Any person who became an officer of the County prior to the effective date of this sentence shall have a period of ninety days from the effective date of this sentence in which to make the said election; and any person who becomes an officer subsequent to the effective date of this sentence shall have a period of thirty days from the date on which he becomes such officer to make the said election. In his said written election he shall state whether he elects to pay into the fund the contributions with interest thereon for any of the period during which he served as an officer prior to continuing as an officer to be a member of the said system, as provided for in Section 8 hereof, as amended; and if he elects to pay into the fund contributions, together with interest thereon, for any part of the said period he shall state for what part of the said period he elects to so pay. The members of the retirement system herein created and established shall be entitled to creditable service earned and

accrued to such member under prior retirement systems such creditable service having previously been established by the Personnel Director of the Personnel Board of Jefferson County. Creditable service shall include also additionally, the time of any duly authorized Military Leave of Absence of any member for which time the County shall have paid into the fund an amount equal to twice the contributions which the employee would have made if he had not been absent on such leave and if his wage or salary had continued to be the same as he was earning at the time of the commencement of his leave. (g) "Final Average Monthly Compensation," the average of the monthly compensation paid by the County to the member during the member's last sixty months of creditable service, regardless of whether the member served during all of the said sixty months as an employee or as an officer or served part of said sixty months as an employee and part of said sixty months as an officer.

Section 2. Section 8 of Act No. 551 of the Legislature of Alabama of 1953, approved September 9, 1953, Acts of Alabama of 1953, page 766, et seq., as heretofore amended, is hereby further amended to read as follows:

Section 8. "METHOD OF FINANCING": (a) "Salary Deductions": Every member of the retirement system shall pay into the retirement fund five per cent (5%) of his monthly wage or salary paid to him by the County, but if such wage or salary exceeds Four Hundred Dollars (\$400.00) per month, then only five per cent (5%) of the first Four Hundred Dollars (\$400.00) thereof. The County governing body is hereby directed to cause such deductions to be made each payroll period; and the aggregate amount so deducted from the salaries covered by said payrolls shall be paid over to the Treasurer of the retirement system. All such payments for salary deductions shall be deposited in the retirement fund herein created. (b) "County Contributions": (1) Each payroll period an amount equivalent to that deducted from the employees' salaries shall be contributed by the County and shall be paid into the retirement fund by the County governing body out of the general fund of the County. All of the funds remaining of the contributions heretofore paid by the County and the employees to the retirement fund under said Act 810, 1951 General Acts, page 1411, approved September 11, 1951, are hereby required to be paid to the retirement system created by this Act immediately after the effective date hereof. Such funds to be paid into the system created by this Act shall include all investments and earnings of the retirement system created by Act 810, 1951 General Acts, page 1411, approved September 11, 1951.

The County Commission of Jefferson County shall cause to be paid into the retirement fund created by this Act the sum of \$100,000.00 payable at the rate of \$12,500.00 per year, the first payment to be on the 15th day of November, 1953, and a like sum each year thereafter on the 15th day of November until the said \$100,000.00 is paid in full. (2) If any member, either before or after the effective date of this act, shall have left the service of the County for the purpose of entering the service of the Armed Forces of the United States, and shall have been granted a military leave of absence for such purpose under the laws, rules, and regulations governing the employees of the County, and shall not have been dishonorably discharged from such Armed Forces and shall have been reinstated to the service of the County within ninety days after his separation from such Armed Forces, then the County shall promptly pay into the fund an amount equal to twice the contribution which the employee would have made if he had not been absent on such leave and if his wages or salary had continued to be the same as he was earning at the time of the commencement of his leave, provided, however, that no part of such payment by the County shall be refundable to the employee under any provisions herein for the return of employee contributions.

(c) Any employee who elects under the provisions of Section 1 hereof to continue to be a member of the system after becoming an officer of the County shall pay into the fund in the same manner and at the same rate at which employees are required to pay into the fund under the provisions of this Section 8 commencing with the first calendar month subsequent to the date on which he elects as an officer to continue to be a member of the system; and if he elects to pay into the fund contributions with interest thereon for any period during which he served as an officer prior to his continuing as an officer to be a member, as provided for in Section 1 hereof, he shall pay into the fund within thirty days from the date he makes said election a sum which shall be equal to the aggregate contributions which he would have paid into the fund had he been a member thereof during the period for which he elects to make the said contributions, together with interest on the said contributions at the rate of six per cent (6%) per annum from the date on which the said contributions would have been paid had he been a member of the system during said period for which he elects to make the contributions; provided, however, that any officer may elect to pay the contributions together with interest thereon for any such period in installments, such election to be made and such installments to be paid in the manner hereinafter specified. The amount which any officer shall be required to pay into the fund in order to cover any period during which he served as an officer and was not a member of the system shall be known as "the deficiency." Any officer of the County who elects hereunder to continue as a member of the system as provided for in Section 1 hereof, shall have the right to elect to pay into the fund a deficiency to cover all or any part of the period during which he served as an officer of the County prior to his continuing as an officer to be a member of the said system. If an officer elects to pay into the fund a deficiency, he shall pay the deficiency into the fund in full within thirty days from his making the said election, unless he also elects on the form provided by the Personnel Director to make the deficiency payable from his salary in monthly installments; and if he elects to make the deficiency payable in installments, then at the end of each payroll period beginning in the first calendar month subsequent to his electing to make the said deficiency payable in installments there shall be deducted from his salary and paid into the fund an amount equal to five per centum (5%) of the aggregate contributions to be paid by him in order to discharge the deficiency which shall include interest at the rate of six per centum (6%) per annum separately on each of the contributions he would have paid during the said period had he been a member of the system during that period which the deficiency covers, which interest shall run from the date on which he would have paid the contributions had he been a member of the system during the period covered by the deficiency to the date on which the contributions is paid into the fund. If any such deficiency together with interest thereof is not paid or discharged in one of the manners hereinabove provided, it shall be paid or discharged as provided for in Section 16 hereof. During each payroll period an amount equivalent to that paid into the fund by any officer including interest thereon shall be contributed by the County and shall be paid into the Retirement fund by the County governing body out of the general fund of such County. This subsection (c) shall be subject to all the conditions and limitations made applicable to employees by subsections (a) and (b) of this Section 8.

Section 3. This act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first

duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 9, 16, 23, 30, 1962, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 2 day of July, 1962.

O. H. PUTMAN, JR.,
Notary Public.
Notary Public, Alabama State at Large.
My Commission Expires May 29, 1965.

By Messrs. Perry, Morrow, Sessions, Rast, Hawkins, Locke and Edwards
(With Notice and Proof):

H. 187. To amend Act No. 843 of the Regular Session of the Legislature of Alabama of 1961, approved September 8, 1961.

Local Legislation No. 2.

Notice and Proof H. 187:

NOTICE

Notice is hereby given of intention to apply at the present special session of the Legislature of Alabama, for introduction and passage of a Bill the substance of which, as distinguished from details, is and will be the substance, as distinguished from detail of the following:

A BILL TO BE ENTITLED AN ACT

To amend Act No 843 of the Regular Session of the Legislature of Alabama of 1961, approved September 8, 1961.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 843 of the Regular Session of the Legislature of Alabama of 1961, approved September 8, 1961, as amended to read as follows:

Section 3. (a) "PRESENT EMPLOYEES": Any person who is an employee or officer of Jefferson County on the date of establishment of this General Retirement System shall, except as hereinafter provided, be eligible for membership and shall become a member as of such date unless within a period of thirty (30) days thereafter he files with the Board on a blank provided by the Personnel Director or by the Board for that purpose, an election not to become a member, such election to be irrevocable. (b) "Members of Existing Retirement System": All employees who have become members of a retirement system under said Act No. 551 of September 9, 1953, shall not be permitted to become members under the present act. (c) "Future Employees": Any person who becomes an officer or an employee after the

retirement system under the present act is established shall not be required to become a member during the first two years he serves as an officer or an employee; and any person who becomes an officer or an employee after the establishment of the said system shall become a member thereof commencing the first calendar month subsequent to the second anniversary of his becoming an officer or an employee, unless some provision hereof declares that he is ineligible for membership in the said system. Any person who has become an officer or an employee after the date of the establishment of said retirement system and prior to the effective date of this sentence may elect to become a member of the said system by filing with the Personnel Director an election to do so within thirty days from the effective date of this sentence on a form provided by the Personnel Director for that purpose; and any person who becomes an officer or employee after the effective date of this sentence may become a member of the said system by filing with the Personnel Director within thirty days after he becomes an officer or employee an election to become a member thereof on a form provided by the Personnel Director; provided, however, that no person whose employment is "temporary," as defined by any merit system in operation in the said County, shall be eligible for membership during the period of such temporary employment. Upon any such officer or employee making such election, he shall become a member of the said pension system commencing on the first day of the calendar month next following that month in which his election is filed with the Personnel Director; and the election shall be irrevocable. (d) "Report of County Officials": It shall be the duty of the county personnel board, the head of each agency of the county government employing persons who are members or are entitled to become members, to submit to the Board such statements as the Board shall require as to the name, title, compensation, duties, date of birth, and length of service of each such person employed by such agency.

Section 2. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 9, 16, 23, 30, 1962, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 2 day of July, 1962.

O. H. PUTMAN, JR.
Notary Public.
Notary Public, Alabama State at Large.
My Commission Expires May 29, 1965.

By Mr. Callahan:

H. 188. Relating to counties having populations of not less than 97,000 nor more than 117,000; providing further for regulation of persons engaged in the business of selling money orders and other like instruments.

Local Legislation No. 1.

By Mr. Jones (Covington) (With Notice and Proof):

H. 189. To alter and rearrange the boundaries of the City of Opp, Covington County, so as to exclude certain territory incorporated into the city by Act No. 437, Regular Session 1957.

Local Legislation No. 1.

Notice and Proof H. 189:

LEGAL NOTICES

STATE OF ALABAMA COUNTY OF COVINGTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter and rearrange the boundaries of the City of Opp, Covington County, so as to exclude certain territory incorporated into the city by Act No. 437, Regular Session 1957.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the City of Opp, Covington County, are hereby altered and rearranged so that the SW $\frac{1}{4}$, of the SW $\frac{1}{4}$, of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 4, Township 3, North, Range 18 East and SW $\frac{1}{4}$ of SW $\frac{1}{4}$, NW $\frac{1}{4}$ of SW $\frac{1}{4}$; SE $\frac{1}{4}$ of SW $\frac{1}{4}$; NE $\frac{1}{4}$ of SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 3, Township 3, North, Range 18 East, incorporated by Act No. 437, Regular Session 1957, shall be excluded from the area embraced within the corporate limits of the city, and shall no longer form a part of the city.

Section 2. That part of Act No. 437, H. 998, Regular Session 1957 (Acts of Alabama 1957, vol. 1, p. 602) in conflict with this Act is hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF COVINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Burgess, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Opp News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, June 21, June 28, and July 5, all in the year 1962.

ROBT. D. BURGESS.

Sworn to and subscribed before me July 6, 1962.

JAMES C. KELSOE.
Title Notary Public.

By Mr. Faulk (With Notice and Proof):

H. 190. Supplement to Act No. 538 H1009 approved September 16, 1939, (Local Acts of Alabama 1939, Page 329), as amended, which establishes the Inferior Court of Geneva County; to increase the compensation of the Judge and Stenographer of said Court.

Local Legislation No. 1.

Notice and Proof H. 190:

A BILL
Entitled An Act

Supplement to Act No. 538 H1009 approved September 16, 1939, (Local Acts of Alabama 1939, Page 329), as amended, which establishes the Inferior Court of Geneva County; to increase the compensation of the Judge and Stenographer of said Court.

WHEREAS, there has, heretofore, by Act No. 457 of the Legislature of Alabama, 1959, approved November 13, 1959, been given to the Inferior Court of Geneva County limited equity jurisdiction which has greatly enlarged the volume of the business of said Court and greatly increased the work and responsibility of the Judge and Stenographer of said Court, whose compensation should be increased.

BE IT ENACTED By the Legislature of Alabama:

Section 1: The Judge of Inferior Court of Geneva County shall receive a salary of Six Thousand (\$6,000.00) Dollars per annum, payable in equal monthly installments out of the General Funds of Geneva County, Alabama, upon the warrant of the Probate Judge of Geneva County, Alabama, which he is hereby authorized and directed to issue monthly, which warrant shall be a preferred claim against said General Funds.

Section 2: That the Stenographer appointed by the Judge of said Court shall receive a salary of Eighteen Hundred (\$1,800.00) Dollars per annum, payable in equal monthly installments out of the General Funds of the County on the warrant of the Probate Judge upon certificate of the Judge of this Court.

Section 3: If any section, sentence, clause or phrase or part of this Act shall be declared invalid, such invalidity shall not effect the remainder of the Act but such parts not declared invalid shall remain in full force and effect.

Section 4: That all laws and parts of Laws in conflict with the provisions of this Act are hereby repealed.

Section 5: This Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law on the first Monday after the second Tuesday in January, 1963.

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said county in said state, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of The Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four consecutive weeks without cost to the State of Alabama. Said notice having appeared in the issue of said paper on June 14th, 21st, 28th, and July 5th, all in the year 1962.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this the 5th day of July, 1962.

JEAN BRANNON,
Notary Public.

By Mr. Faulk (With Notice and Proof):

H. 191. To fix the Salary of the Deputy Solicitor of Geneva County.
Local Legislation No. 1.

Notice and Proof H. 191:

A BILL
Entitled An Act

To Fix the Salary of the Deputy Solicitor of Geneva County.

BE IT ENACTED By the Legislature of Alabama:

Section 1. That the Salary of the Deputy Solicitor for Geneva County, Alabama, be and the same is hereby fixed at the sum of Twenty Four Hundred Dollars (\$2400.00) per year, payable in monthly installments of Two Hundred Dollars (\$200.00) per month, payable out of the General Funds of Geneva County, Alabama.

Section 2. That all Laws and parts of Laws in conflict with the provisions of this Act are hereby repealed.

Section 3. That this Act shall go into effect immediately upon its passage and approval by the Governor or its otherwise becoming a law on the first Monday after the second Tuesday in January, 1963.

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said county in said state, this day personally appeared Orsen B. Spivey, who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was editor of The Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four consecutive weeks without cost to the State of Alabama. Said notice having appeared in the issue of said paper on June 14th, 21st, 28th, and July 5th, all in the year 1962.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this the 5th day of July, 1962.

JEAN BRANNON,
Notary Public.

BILLS ON THIRD READING
H. 164 POSTPONED

On motion of Mr. Rogers (Mobile), consideration of the bill, H. 164, was postponed until the next legislative day.

And the bill:

H. 165. Relating to counties having populations of not less than 200,000 nor more than 500,000; providing for the assessment of solicitors' fees as a part of the costs of appeals from judgments rendered in certain municipal courts.

Was taken up.

Mr. Rogers (Mobile) offered the following amendment to the bill, H. 165:

Amendment to H. 165

Strike out Section 2 of the bill and insert the following in lieu thereof:

Section 2. When an appeal is taken from a judgment of conviction rendered in any municipal, mayor's, or recorder's court of any city or town within the county, other than a city having a population in excess of 50,000, the court to which the appeal lies shall tax as a part of the cost on appeal a fee not exceeding 20 dollars for the solicitor of record for the municipality in case:

- 1) the defendant is convicted; or
- 2) the appeal is dismissed on payment of costs by the defendant; or
- 3) a nolle prosequi is entered on payment of costs by the defendant; or
- 4) a judgment of forfeiture is entered against defendant and his sureties.

The solicitor's fee shall be paid over to him, when collected, for services rendered in the case.

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Dunn	Ingram	Pierce
Adams	Edwards	Jenkins	Powell
Albea	Engel	Johnson (Hardaway)	Ramey
Avery	Ferguson	Johnson (J. T. Tom)	Rast
Bailey	Ford	Johnston (Leonard)	Reynolds (Madison)
Barnett	Franklin	Jones (Covington)	Rogers (Macon)
Bassett	Gilchrist	Jones (Monroe)	Rogers (Mobile)
Bevill	Gilmer	Locke	Salter
Bishop	Goldthwaite	Long (Perry)	Self
Brannan	Goodwyn	McClendon (Chambers)	Sessions
Branyon	Gordon	McCorquodale	Shumate
Britton	Grant	McLendon (Bullock)	Solomon
Broadfoot	Gross	Martin	Sorrell
Brooks	Grouby	Meade	Speaks
Cabiness	Hain	Merrill	Steagall
Casey	Hanby	Morrow	Sullivan
Copeland	Hankins	Murphy	Taylor
Cornett	Hardy	Nettles	Torbert
Daniel	Harvey	Oakley	Turner
Dickson	Hawkins	Perry	Turnham
Dodd	Hearn		

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And said bill, H. 165, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Edwards	Ingram	Pierce
Adams	Engel	Jenkins	Powell
Albea	Ferguson	Johnson (Hardaway)	Ramey
Avery	Ford	Johnson (J. T. Tom)	Rast
Bailey	Franklin	Johnston (Leonard)	Reynolds (Madison)
Barnett	Gilchrist	Jones (Covington)	Roberts
Bevill	Gilmer	Jones (Monroe)	Rogers (Macon)
Bishop	Goldthwaite	Locke	Rogers (Mobile)
Brannan	Gordon	Long (Perry)	Salter
Branyon	Grant	McClendon (Chambers)	Self
Britton	Gross	McCorquodale	Sessions
Broadfoot	Grouby	McLendon (Bullock)	Shumate
Brooks	Guthrie	Martin	Solomon
Cabiness	Hain	Meade	Sorrell
Casey	Hanby	Merrill	Speaks
Copeland	Hankins	Morrow	Steagall
Cornett	Hardy	Murphy	Sullivan
Daniel	Harvey	Nettles	Torbert
Dickson	Hawkins	Oakley	Turner
Dodd	Hearn	Perry	Turnham
Dunn			

—81

And the bill:

S. 48. Relating to the Partlow State School for Mental Deficients; changing the name of such institution to Partlow State School and Hospital.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Dunn	Ingram	Pierce
Adams	Edwards	Jenkins	Powell
Albea	Engel	Johnson (Hardaway)	Ramey
Avery	Ferguson	Johnson (J. T. Tom)	Rast
Bailey	Ford	Johnston (Leonard)	Reynolds (Madison)
Barnett	Franklin	Jones (Covington)	Roberts
Bassett	Gilchrist	Jones (Monroe)	Rogers (Macon)
Bevill	Gilmer	Locke	Rogers (Mobile)
Bishop	Goldthwaite	Long (Lauderdale)	Salter
Brannan	Goodwyn	Long (Perry)	Self
Branyon	Grant	McClendon (Chambers)	Sessions
Britton	Gross	McCorquodale	Shumate
Broadfoot	Grouby	McLendon (Bullock)	Solomon
Brooks	Guthrie	Martin	Sorrell
Cabiness	Hanby	Meade	Speaks
Callahan	Hankins	Merrill	Steagall
Casey	Hardy	Morrow	Sullivan
Copeland	Harris	Murphy	Taylor
Cornett	Harvey	Nettles	Torbert
Daniel	Hawkins	Oakley	Turner
Dickson	Hearn	Perry	Turnham
Dodd			

—85

And the bill:

S. 60. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 18,000 nor more than 19,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Camp	Glass	Ingram
Adams	Casey	Goldthwaite	Jenkins
Albea	Copeland	Goodwyn	Johnson (J. T. Tom)
Avery	Cornett	Gordon	Jones (Covington)
Bailey	Dickson	Gross	Jones (Monroe)
Barnett	Dodd	Grouby	Long (Perry)
Bassett	Dunn	Guthrie	McClendon (Chambers)
Bevill	Edwards	Hanby	McCorquodale
Bishop	Engel	Hankins	McLendon (Bullock)
Brannan	Ferguson	Hardy	Martin
Branyon	Ford	Harris	Meade
Britton	Franklin	Harvey	Merrill
Brooks	Gilchrist	Hawkins	Murphy
Cabiness	Gilmer	Hearn	Nettles

Oakley	Roberts	Shumate	Taylor
Pierce	Rogers (Macon)	Solomon	Torbert
Powell	Rogers (Mobile)	Sorrell	Turner
Ramey	Salter	Speaks	Turnham
Rast	Self	Steagall	Vickers
Reynolds (Madison)	Sessions	Sullivan	

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And the bill:

S. 62. To abolish the City Court of Demopolis, an inferior court established in lieu of justices of the peace for the Demopolis precinct, Marengo County, and to reestablish the office of justice of the peace in that precinct; providing for the election or appointment of two justices of the peace for the precinct, and prescribing their jurisdiction, powers, and duties.

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dunn	Hawkins	Perry
Adams	Edwards	Hearn	Pierce
Albea	Engel	Ingram	Powell
Avery	Ferguson	Jenkins	Ramey
Bailey	Ford	Johnson (Hardaway)	Rast
Barnett	Franklin	Johnson (J. T. Tom)	Reynolds (Madison)
Bassett	Gilchrist	Johnston (Leonard)	Roberts
Bevill	Gilmer	Jones (Covington)	Rogers (Macon)
Bishop	Glass	Jones (Monroe)	Rogers (Mobile)
Brannan	Goldthwaite	Locke	Salter
Branyon	Goodwyn	Long (Perry)	Self
Britton	Gordon	McClendon (Chambers)	Sessions
Brooks	Grant	McCorquodale	Solomon
Cabiness	Gross	McLendon (Bullock)	Sorrell
Camp	Grouby	Martin	Speaks
Casey	Guthrie	Meade	Steagall
Copeland	Hanby	Merrill	Sullivan
Cornett	Hankins	Morrow	Taylor
Daniel	Hardy	Murphy	Turner
Dickson	Harris	Nettles	Turnham
Dodd	Harvey	Oakley	

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And the bill:

H. 173. To provide that the laws governing the County wide Civil Service System of Mobile County, Alabama shall apply to the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, in the office of the Clerk of the Circuit Court of Mobile County, Alabama, and to provide for the person holding the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, to be placed on the employment roster of the Civil Service System of Mobile County and to be placed in the proper class and salary level.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Dodd	Hawkins	Perry
Adams	Dunn	Hearn	Pierce
Albea	Edwards	Ingram	Powell
Avery	Engel	Jenkins	Ramey
Bailey	Ferguson	Johnson (Hardaway)	Rast
Barnett	Ford	Johnson (J. T. Tom)	Reynolds (Madison)
Bassett	Franklin	Johnston (Leonard)	Roberts
Bevill	Gilchrist	Jones (Covington)	Rogers (Macon)
Bishop	Gilmer	Jones (Monroe)	Rogers (Mobile)
Brannan	Glass	Locke	Salter
Branyon	Goldthwaite	Long (Perry)	Self
Britton	Goodwyn	McClendon (Chambers)	Shumate
Broadfoot	Gordon	McCorquodale	Solomon
Brooks	Grant	McLendon (Bullock)	Sorrell
Cabiness	Gross	Martin	Steagall
Camp	Grouby	Meade	Sullivan
Casey	Guthrie	Merrill	Taylor
Cook	Hanby	Morrow	Torbert
Copeland	Hankins	Murphy	Turner
Cornett	Hardy	Nettles	Turnham
Daniel	Harris	Oakley	Vickers
Dickson	Harvey		

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BILLS POSTPONED

On motion of Mr. Morrow, consideration of the bill, S. 57, was postponed until the next legislative day.

On motion of Mr. Self, consideration of the bill, S. 64, was postponed until the next legislative day.

On motion of Mr. Bevill, consideration of the bill, H. 60 and pending amendment, and H. 61, was postponed until the next legislative day.

On motion of Mr. Roberts, consideration of the bill, H. 35, was temporarily postponed.

On motion of Mr. Pruitt, consideration of the bill, S. 29, was temporarily postponed.

On motion of Mr. Casey, consideration of the bills, S. 44 and S. 45, was temporarily postponed.

And the bill:

H. 130. (with substitute). To provide further for nominations by political parties of candidates for the legislature to be elected in the general election in November 1962 in the event the legislature is reapportioned; authorizing, providing for and regulating a special primary election under certain conditions for the purpose of nominating such candidates and confirming and continuing certain nominations made in the primary elections in May 1962.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

JUDICIARY COMMITTEE SUBSTITUTE FOR H. R. 130

A BILL
TO BE ENTITLED
AN ACT

To provide further for nominations by political parties of candidates for election to the legislature; confirming and continuing certain nominations made in the party primary elections or party meetings in 1962; authorizing, providing for and regulating special party primary elections and mass, beat, or other party meetings under certain conditions for the purpose of nominating certain of such candidates; and placing special duties on the secretary of state.

Be It Enacted by the Legislature of Alabama:

Section 1. If at the general election in November 1962 members are to be elected to the Alabama Legislature under an apportionment of the membership thereof which is different from the apportionment which applied in May 1962, and which becomes effective on or before August 31, 1962, nominations by political parties of candidates for membership in the state senate and of candidates for representatives in the house of representatives shall be governed by this Act.

Section 2. If a county is entitled under the new apportionment to the same number of representatives in the house of representatives that it was entitled to under the apportionment effective when primary elections were held in May 1962, then the person or persons nominated at such primary elections shall be that political party's nominee or nominees for candidate for representative from that county in the general election in 1962.

If under the new apportionment a county is entitled to more representatives than under the apportionment which was effective in May 1962, then any political party which held primary elections for the purpose of nominating candidates for the house of representatives may hold a special primary for the purpose of nominating such additional number of candidates for representative as the county is entitled under the new apportionment; and all nominees of that political party elected at the primary elections in May plus the nominee, or nominees, elected at this special primary hereby authorized shall be that political party's nominees for election as representatives from such county at the general election in November 1962. If candidates for election as representatives from such county must be nominated for numbered positions then the chairman of the state executive committee of the party holding the special primary election shall certify the name of the candidate who receives the greatest number of votes as the nominee of the party for the first additional position, the candidate who receives the next greatest number of votes as the party's candidate for the second additional position and the candidate who receives the next greatest number of votes and so on until he has certified a nominee for each additional position in numerical order. If nominations for election as representatives from such county need not be made for numbered positions then the chairman of the party committee shall certify no more additional nominees than there are additional positions to be filled.

If under the new apportionment a county is entitled to fewer representatives than under the apportionment which was effective in May 1962, then any political party, which nominated candidates for the house of representatives at a primary election, may hold a special primary election for the purpose of eliminating such number of its duly elected nominees as exceeds the number of representatives to which such county is entitled under the new apportionment. At such special election only persons who were duly nominated at the primary elections held in May 1962 may be candidates for nomination as a representative from such county and they shall not be candidates for any particular position. If under the new apportionment the county is entitled to only one representative then the candidate at the special election who receives the greatest number of votes shall be the party's nominee as a candidate for election as the representative from that county at the general election in November 1962. If the county is entitled under the new apportionment to two or more representatives then the candidates receiving the greatest number of votes and the second, third or other (depending on the number of representatives to be elected) greatest number of votes shall be the party's nominees for election as representatives from such county in the general election in 1962. If representatives from such county were nominated in the May primaries as candidates for numbered positions then the chairman of the state executive committee of the party holding the special primary, in certifying the party's nominations, shall certify as the candidate for place number one the person who received the greatest number of votes in the special primary, as the candidate for place number two the person who receives the second greatest number of votes, and so on until he has certified a candidate for such number of positions as equals the number of representatives to which the county is entitled under the new apportionment.

If a senatorial district under the new apportionment consists of the same territory that formed a senatorial district under the apportionment which was in effect when the primary elections were held in May 1962, the person nominated by a political party at such primary elections shall be that political party's nominee for election in November 1962 as state senator from such district, whether or not it bears the same number under the new apportionment that it bore under the apportionment which applied when he was nominated.

If a senatorial district under the new apportionment is not composed of exactly the same territory that previously formed a senatorial district and only one resident of such new district has been nominated by a political party at a primary election in May 1962 as its candidate for state senator from a then existing district, whether or not it bore the same number that the new district bears, such person shall be that political party's nominee as candidate for state senator from the newly created senatorial district at the general election in November 1962.

If a senatorial district under the new apportionment is not composed of the same territory that previously formed a senatorial district and two or more residents within such district have each been nominated by a political party as its candidate for state senator from a district existing under the prior apportionment, whether or not any of the districts for which they were nominated bore the same number that the newly created district bears, the political party may hold a special primary election for the purpose of eliminating all but one of its duly elected nominees, and nominating him as its candidate for state senator from the newly created district. At this election only those persons who were duly nominated as candidates of such party for state senator at a primary election in May 1962 shall be candidates, and the one receiving the greatest number of votes in the special primary shall be that party's nominee as a candidate for election as state senator from the newly created district at the general election in November 1962.

If a senatorial district under the new apportionment is not composed of exactly the same territory which previously formed a senatorial district and no resident within the newly created district was nominated as a candidate for election as state senator at its primary elections in May 1962, a political party may hold a special primary election in such district for the purpose of nominating a candidate for election as state senator from such newly created district at the general election in November 1962.

Section 3. Any special primary elections authorized to be held by Section 1 of this Act shall be held on the first Tuesday occurring at least thirty days after the date on which the new apportionment is ordered, and, except as provided in this Act, shall be conducted in the same way and according to the same laws as prescribed for conducting other primary elections.

Section 4. Any person who was duly nominated at a primary election in May 1962 as a party's candidate for representative from a county, which loses representation under the new apportionment shall automatically become a candidate in the special primary election held pursuant to this Act and he shall not be required to file any declaration of candidacy nor pay any additional assessment to the party to become such candidate.

Any person who was duly nominated at a primary election in May 1962 as a party's candidate for the state senate, who under the new apportionment is a resident of a senatorial district in which resides another person who was also duly nominated at a primary election by the same political party as another of the party's candidates for the state senate shall automatically become a candidate in the special election for nomination by such party as its candidate for state senator from such newly created senatorial district in the general election in November 1962; and he shall not be required to file any declaration of candidacy nor pay any additional assessment to such party to become such candidate.

Any person desiring to become a candidate in a special primary election held pursuant to this Act for nominating additional candidates for representatives in a county which is entitled to more representatives under the new apportionment than it had under the apportionment effective when the May 1962 primary elections were held and any person desiring to become a candidate in a special primary held pursuant to this Act for nominating a candidate for state senator from a newly formed senatorial district in which no person who was duly nominated as a candidate for the state senate at the primary elections in May 1962 resides shall, not later than 5 p. m. of the twenty-fourth day before the election (not counting the day of the election), file his declaration of candidacy in the form prescribed by the governing body of the party with the chairman of the state executive committee of the party and file his notice of appointment of a committee to handle campaign funds with the secretary of state; and he shall also, within such time, pay any assessments that may be required to be paid by him.

Section 5. The chairman of the state executive committee of each political party entering the special primary election hereby authorized shall, not less than twenty-three days prior to the date of such election, certify to the secretary of state the names of all persons who have qualified with him as candidates for nomination to the state senate and to the house of representatives. The secretary of state shall, not less than twenty-one days prior to the date of holding the election, certify to the probate judge of every county in which the election is to be held the names of the opposed candidates for nomination to the state senate and to the house of representatives. The probate judge of each county shall have the ballots pre-

pared for this special election in the same manner that he has ballots prepared for regular primary elections under the general law. If a legally qualified candidate for nomination to the state senate or house of representatives is unopposed when the last day for certifying candidates has passed, his name shall not be printed on the ballots to be used at the election; and he shall be the nominee of the party with which he has qualified for the office.

Section 6. Any person nominated at a mass meeting, beat meeting or other meeting of the voters of a political party in May 1962 as its candidate for election in November 1962 as a representative in the house of representatives for a county which is accorded the same number of representatives under the new apportionment that it had under the apportionment effective in May 1962 shall be such party's nominee, or nominees, for representative from such county for the general election in November 1962.

Any person who was nominated at a mass meeting, beat meeting or other meeting of the voters of a political party in 1962 as a candidate for representative from a county which is entitled under the new apportionment to more representatives than it had under the apportionment effective in May 1962 shall be such party's nominee or nominees, for such number of representatives as the county was entitled to in May 1962; and the party may hold a special mass meeting, beat meeting or other meeting of its voters for the purpose of nominating such number of additional candidates for representative as equals the number of additional representatives to which the county is entitled under the new apportionment.

If under the new apportionment a county is entitled to fewer representatives than under the apportionment which was effective in May 1962, then any political party which at a mass meeting, beat meeting or other meeting of its voters in 1962 nominated candidates for representatives in the house of representatives may hold a special mass meeting, beat meeting, or other meeting for the purpose of eliminating such number of its nominees as exceeds the number of representatives to which such county is entitled under the new apportionment.

Any person who was nominated at a mass meeting, beat meeting or other meeting of the voters of a political party in 1962 as its candidate for state senator from a then existing district which was composed of the same territory forming a senatorial district under the new apportionment shall be such party's nominee as candidate for state senator from such new district.

Any person who was nominated at a mass meeting, beat meeting or other meeting of the voters of a political party in 1962, as its candidate for state senator from a district existing under the then effective apportionment, who is the only resident of a newly created senatorial district so nominated at such time by such party shall be such party's candidate for state senator from such new senatorial district, whether or not such new district bears the same number that the district for which he was nominated bore.

If two or more residents of a newly created senatorial district have each been nominated at a mass meeting, beat meeting or other meeting of the voters of a political party as its candidate for state senator from a district existing under the prior apportionment, whether or not any of the districts for which they were nominated bore the same number that the newly created district bears, the party may hold a special mass meeting, beat meeting or other meeting of its voters for the purpose of eliminating all but one of

such nominees and nominating him as its candidate for state senator from such new district.

If no resident of a newly created senatorial district has been nominated at a mass meeting, beat meeting, or other meeting of a political party in 1962, as a candidate for state senator, then the party may hold a special mass meeting, beat meeting or other meeting of its voters for the purpose of nominating a candidate for state senator from such new district.

Section 7. All special mass meetings, beat meetings or other meetings of political parties hereby authorized shall be held on the same day that the special primary elections hereby authorized are held, and except as otherwise provided in this Act shall be governed by the general law regulating political party meetings for nominating candidates for the state legislature.

Section 8. The chairman of the state executive committee of each political party which enters the special primary as authorized in this Act shall, within three days after the nominations shall have been completed but in no event less than thirty days previous to the day of the general election in November, certify in writing and file with the secretary of state the names of all the candidates who have been put in nomination by a special party meeting or primary election held pursuant to this Act in the same manner that he certifies nominations made at regular party primary elections or regular party meetings. The certificates of nominations made at special primary elections or special party meetings held under authority of this Act shall supersede certificates of nominations heretofore filed by the chairmen of the several respective parties relative to nominations of candidates in 1962 by such parties in all cases in which such nominations are invalidated by this Act.

Section 9. The secretary of state, from certificates of nominations filed by the chairmen of the executive committees of the several political parties, shall ascertain the counties for which fewer or more than the number of representatives apportioned to them, respectively, according to the new apportionment, have been nominated as candidates in the November 1962 general election for representative from such county, either at a party primary election or a party meeting. The secretary of state, within three days after the new apportionment is ordered, shall notify the judge of probate of each of these counties that special party primary elections or special party meetings are authorized by this Act for the purpose of nominating a candidate or candidates for representative from the county for the general election in November. Such notice shall state the number of candidates which may be so nominated. This notice shall also contain the name of each political party authorized to hold a special primary election in the county and the name of each party authorized to hold a special party meeting to nominate candidates for representative. If the special election in such county is authorized only for the purpose of eliminating a nominee, or nominees, named in May, then the secretary of state shall also state the names of the persons who automatically become the candidates in such special election by virtue of their prior nominations.

The secretary of state shall also ascertain, from the said certificates of nominations, the senatorial districts in which there is not residing a candidate for state senator named by a political party which held primary elections or party meetings to nominate a candidate for state senator from a senatorial district under the apportionment effective in May which contained at least one of the counties in the newly created district, and also the senatorial districts according to the new apportionment in which there are two or more residents each of whom was nominated as a candidate for

state senator from a senatorial district under the prior apportionment. The secretary of state, within three days after the new apportionment is ordered, shall notify the judge of probate of each county in every senatorial district in each of the two categories above that special primary elections or special party meetings are authorized in such counties by this Act. If the special election in such county is authorized only for the purpose of eliminating a nominee, or nominees, named in May, then the notice shall also state the names of the persons who automatically become candidates in such special election by virtue of prior nomination as a candidate for state senator.

The secretary of state shall also notify the judge of probate of every county in which no special primary election or party meeting is authorized under this Act of that fact.

The findings of the secretary of state regarding the effect of this Act in the several counties shall also be released to the press.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. All laws or parts of laws which conflict with this Act are repealed.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Dodd	Ingram	Powell
Albea	Dunn	Jenkins	Pruitt
Avery	Edwards	Johnson (Hardaway)	Rast
Bailey	Engel	Johnson (J. T. Tom)	Reynolds (Madison)
Bevill	Faulk	Johnston (Leonard)	Rogers (Macon)
Bishop	Ferguson	Jones (Covington)	Rogers (Mobile)
Brannan	Ford	Locke	Salter
Branyon	Gilchrist	Long (Lauderdale)	Self
Brewer	Glass	Long (Perry)	Sessions
Britton	Goldthwaite	McClendon (Chambers)	Shumate
Broadfoot	Goodwyn	McLendon (Bullock)	Solomon
Brooks	Gordon	Martin	Sorrell
Cabiness	Grant	Meade	Speaks
Callahan	Gross	Merrill	Steagall
Camp	Grouby	Morrow	Sullivan
Casey	Guthrie	Nettles	Taylor
Cook	Hanby	Oakley	Torbert
Copeland	Hankins	Owens	Turner
Cornett	Hardy	Perry	Turnham
Daniel	Hawkins	Pierce	Vickers
Dickson	Hearn		

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Mr. Long (Lauderdale) offered the following amendment to the bill, H. 130, as amended:

AMENDMENT TO H. B. 130, AS AMENDED

Amend Section 1 of the bill by striking the number 31 which appears after the word August and before the figures 1962 in such section and inserting in lieu thereof the number 15.

Also strike Section 2 and insert in lieu thereof the following:

Section 2. If a county is entitled under the new apportionment to the same number of representatives in the house of representatives that it was entitled to under the apportionment effective when primary elections were held in May 1962, then the person or persons nominated at such primary elections shall be that political party's nominee or nominees for candidate for representative from that county in the general election in 1962.

If under the new apportionment a county is entitled to more representatives than under the apportionment which was effective in May 1962, then any political party which held primary elections for the purpose of nominating candidates for the house of representatives may hold a special primary election (and when necessary a special run-off election) for the purpose of nominating such additional number of candidates for representative as the county is entitled under the new apportionment; and all nominees of that political party elected at the primary elections in May plus the nominee, or nominees, elected at the special primary elections hereby authorized shall be that political party's nominees for election as representatives from such county at the general election in November 1962. If candidates for election as representatives from such county must be nominated for numbered positions then the chairman of the state executive committee of the party holding the special primary elections shall certify a nominee for each additional position. If nominations for election as representatives from such county need not be made for numbered positions then the chairman of the party committee shall certify no more additional nominees than there are additional positions to be filled.

If under the new apportionment a county is entitled to fewer representatives than under the apportionment which was effective in May 1962, then any political party, which nominated candidates for the house of representatives at a primary election, may hold a special primary election for the purpose of eliminating such number of its duly elected nominees as exceeds the number of representatives to which such county is entitled under the new apportionment. At such special election only persons who were duly nominated at the primary elections held in May 1962 may be candidates for nomination as a representative from such county and they shall not be candidates for any particular position. If under the new apportionment the county is entitled to only one representative then the candidate at the special election who receives the greatest number of votes shall be the party's nominee as a candidate for election as the representative from that county at the general election in November 1962. If the county is entitled under the new apportionment to two or more representatives then the candidates receiving the greatest number of votes and the second, third or other (depending on the number of representatives to be elected) greatest number of votes shall be the party's nominees for election as representatives from such county in the general election in 1962. If representatives from such county were nominated in the May primaries as candidates for numbered positions then the chairman of the state executive committee of the party holding the special primary, in certifying the party's nominations, shall certify as the candidate for place number one the person who received the greatest number of votes in the special primary, as the candidate for place number two the person who receives the second greatest number of votes, and so on until he has certified a candidate for such number of po-

sitions as equals the number of representatives to which the county is entitled under the new apportionment.

If a senatorial district under the new apportionment consists of the same territory that formed a senatorial district under the apportionment which was in effect when the primary elections were held in May 1962, the person nominated by a political party at such primary elections shall be that political party's nominee for election in November 1962 as state senator from such district, whether or not it bears the same number under the new apportionment that it bore under the apportionment which applied when he was nominated.

If a senatorial district under the new apportionment is not composed of exactly the same territory that previously formed a senatorial district and only one resident of such new district has been nominated by a political party at a primary election in May 1962 as its candidate for state senator from a then existing district, whether or not it bore the same number that the new district bears, such person shall be that political party's nominee as candidate for state senator from the newly created senatorial district at the general election in November 1962.

If a senatorial district under the new apportionment is not composed of the same territory that previously formed a senatorial district and two or more residents within such district have each been nominated by a political party as its candidate for state senator from a district existing under the prior apportionment, whether or not any of the districts for which they were nominated bore the same number that the newly created district bears, the political party may hold a special primary election (and if necessary a special run-off election) for the purpose of eliminating all but one of its duly elected nominees, and nominating him as its candidate for state senator from the newly created district. At this election only those persons who were duly nominated as candidates of such party for state senator at a primary election in May 1962 shall be candidates.

If a senatorial district under the new apportionment is not composed of exactly the same territory which previously formed a senatorial district and no resident within the newly created district was nominated as a candidate for election as state senator at its primary elections in May 1962, a political party may hold a special primary election (and when necessary a special run-off election) in such district for the purpose of nominating a candidate for election as state senator from such newly created district at the general election in November 1962.

Also strike Section 3 and insert in lieu thereof the following:

Section 3. Any special primary elections authorized to be held by Section 1 of this Act shall be held on the first Tuesday occurring at least thirty days after the date on which the new apportionment is ordered, if there are more than two candidates for nomination as candidates for the same position and no one thereof receives a majority of the votes cast for such position then a special run-off election shall be held on the second Tuesday next thereafter following the special primary, and, except as provided in this Act, such elections shall be conducted in the same way and according to the same laws as prescribed for conducting other primary elections.

And the amendment was adopted.

Yeas 83; Nays 4.

Yeas: 72

Mr. Speaker	Edwards	Ingram	Powell
Adams	Engel	Jenkins	Ramey
Albee	Faulk	Johnson (Hardaway)	Rast
Avery	Ferguson	Johnson (J. T. Tom)	Ray
Bailey	Ford	Johnston (Leonard)	Reynolds (Madison)
Bevill	Franklin	Jones (Covington)	Roberts
Bishop	Gilchrist	Jones (Monroe)	Rogers (Mobile)
Brannan	Glass	Locke	Salter
Branyon	Goldthwaite	Long (Lauderdale)	Self
Brewer	Gordon	Long (Perry)	Sessions
Broadfoot	Grant	McClendon (Chambers)	Shumate
Brooks	Gross	McLendon (Bullock)	Smith (Russell)
Cabiness	Grouby	Meade	Sorrell
Camp	Guthrie	Merrill	Speaks
Cook	Hain	Morrow	Steagall
Copeland	Hanby	Murphy	Taylor
Cornett	Hankins	Nettles	Torbert
Daniel	Hardy	Oakley	Turner
Dickson	Harvey	Owens	Turnham
Dodd	Hawkins	Perry	Vickers
Dunn	Hearn	Pierce	

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Nays:

Messrs.	Oden	Solomon	Sullivan
Goodwyn			

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Mr. Cabiness offered the following amendment to the bill, H. 130, as amended:

Amend House Bill 130 by adding at the end:

Provided that no newspaper, radio or Television Station shall charge any candidate in such primary any more than ordinary commercial rates.

And the amendment was adopted.

Yeas 72; Nays 1.

Yeas:

Mr. Speaker	Cornett	Grant	McCorquodale
Bailey	Daniel	Gross	McLendon (Bullock)
Bassett	Dickson	Grouby	Martin
Bevill	Dodd	Guthrie	Meade
Brannan	Dunn	Harvey	Morrow
Branyon	Engel	Hearn	Murphy
Brewer	Faulk	Ingram	Nettles
Broadfoot	Ferguson	Jenkins	Oakley
Brooks	Ford	Johnson (Hardaway)	Oden
Cabiness	Franklin	Johnston (Leonard)	Owens
Callahan	Gilchrist	Jones (Covington)	Pierce
Camp	Glass	Locke	Ramey
Cates	Goldthwaite	Long (Lauderdale)	Ray
Cook	Goodwyn	Long (Perry)	Reynolds (Madison)
Copeland	Gordon	McClendon (Chambers)	Roberts

Rogers (Mobile)	Shumate	Speaks	Taylor
Salter	Solomon	Steagall	Turner
Self	Sorrell	Sullivan	Vickers

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Nay:

Mr. Adams

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POINT OF ORDER

Mr. Torbert raised the point of order that the amendment offered by Mr. Cabiness was not germane to the bill, H. 130.

The Chair ruled that the amendment was in order and was germane to the bill, H. 130.

Mr. Rogers (Mobile) moved to postpone further consideration of the bill, H. 130, as amended, until the next legislative day without losing its place on the Calendar.

RECESS

On motion of Mr. Pruitt the House recessed for one hour.

The House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Cooper, Kendall, Porter, Eddins, Caffey and Webb:

S. J. R. 9. WHEREAS, it has been publicly announced that the cabinet post of Secretary of the United States Department of Health, Education, and Welfare will be soon vacated by reason of the resignation of the Honorable Abraham Ribicoff, which event will require a presidential appointment of his successor, and

WHEREAS, the extensive and multifarious functions of the United States Department of Health, Education, and Welfare touch the lives of young and old in all walks and stations in life, and has a profound influence upon the national welfare, it follows that the selection of an eminently qualified administrative head of this department becomes a matter of vital concern to all citizens, and

WHEREAS, the Honorable Frank W. Boykin has for twenty-seven years served with distinction his native State of Alabama as United States Representative from the First Congressional District, representing, in a manner to reflect credit upon both himself and his state, a constituency of highly diverse interests which encompass the industrial and seaport complexes of Mobile County, farm and labor interests of agricultural counties, and composed of all races, creeds, and colors, and

WHEREAS, the Honorable Frank W. Boykin has through his long period of public service demonstrated a sensitivity and responsiveness to the needs of his fellow man in his public writings, speeches, and effective support of progressive legislation so necessary to the fulfillment of the humanitarian ideals and objectives of the United States Department of Health, Education, and Welfare, and

WHEREAS, the wit, wisdom, and unfailing good humor of the Honorable Frank W. Boykin has won for him friends by the legion both in his native state and in the Nation's capital, and

WHEREAS, the capacity and dedication of the Honorable Frank W. Boykin to the concept of service, coupled with his vast experience in the halls of Congress and in the councils of state and federal governments, has earned for him a nationwide reputation of being one of the Nation's great servants of the people; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That we enthusiastically and earnestly commend to the consideration of the President of the United States the appointment of the Honorable Frank W. Boykin to the office of Secretary, United States Department of Health, Education, and Welfare.

BE IT FURTHER RESOLVED That the contents of this resolution be transmitted by wire by the Secretary of the Senate to the President of the United States pending transmission of a copy by mail; and that copies of the resolution be sent to the members of the U. S. House of Representatives from Alabama and to the United States Senators from Alabama.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Oakley the rules were suspended and the House concurred in and adopted the S.J.R. 9 set out in the above and foregoing Message from the Senate.

RECESS

Mr. Pruitt moved that the House recess until 2:00 o'clock this afternoon.

The substitute motion of Mr. Broadfoot that the House adjourn until Tuesday, July 10, 1962, at twelve o'clock, noon, was lost.

Yeas 31; Nays 49.

Yeas:

Messrs.
Albea
Brewer
Broadfoot
Brooks
Cabiness
Callahan
Camp

Dickson
Dodd
Ferguson
Ford
Franklin
Gilchrist
Gordon
Gross

Hain
Hearn
Jenkins
Johnston (Leonard)
Locke
Morrow
Murphy
Owens

Perry
Ray
Reynolds (Madison)
Salter
Self
Shumate
Sullivan
Turner

Nays:

Mr. Speaker	Gilmer	Jones (Covington)	Rast
Avery	Glass	Lee	Roberts
Bailey	Goldthwaite	Long (Perry)	Rogers (Macon)
Barnett	Goodwyn	McClendon (Chambers)	Rogers (Mobile)
Bevill	Grant	McCorquodale	Rozelle
Branyon	Grouby	McLendon (Bullock)	Sessions
Casey	Guthrie	Martin	Smith (Russell)
Cates	Hanby	Meade	Solomon
Copeland	Hardy	Merrill	Thomas
Cornett	Harris	Pierce	Torbert
Daniel	Hawkins	Powell	Turnham
Dunn	Ingram	Pruitt	Vickers
Engel			

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The question was then on the motion of Mr. Pruitt that the House recess until 2:00 o'clock this afternoon, and the motion was adopted.

AFTERNOON SESSION

The hour of 2:00 o'clock P.M. having arrived, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

H. 96. Relating to Colbert County; levying additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments and additions thereto; providing for the enforcement and collection of the taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; prescribing the purposes for which such proceeds may be used; and superseding Act No. 485, H. 1049, approved August 30, 1949 (Acts 1949, p. 704), the county sales and use tax law.

by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 24, Nays 0.

And said Bill, H.B. 96, as amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 24, Nays 0.

And said Bill, H.B. 96, together with the executive amendment, is herewith returned to the House.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 107. To further amend Section 4 (a) of act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court" (Act No. 345, S. 291, 1955 Acts Vol. II, p. 783).

Also:

H. 141. Relating to Colbert County; fixing the compensation of the chairman of the board of revenue, court of county commissioners, or other like governing body of Colbert County.

Also:

H. 145. Relating to counties having populations of not less than 40,000 nor more than 45,000; to provide additional compensation for the chief deputy and all other deputy sheriffs of all such counties.

Also:

H. 146. Proposing an amendment to the Constitution of Alabama relative to the rate of taxation on property in the City of Russellville for public school purposes.

Also:

H. 148. To authorize the Registers of all Circuit Courts, in Counties having a population of 500,000 inhabitants or more, according to the last or any subsequent Federal Census, to destroy all documents, papers and exhibits filed in divorce cases in such Courts after the expiration of 20 years from the filing date of the final decree in such cases, and making the Minute Books and Final Record Books the official Court Record of such destroyed documents; but no authority is given herein to destroy the dockets, docket sheets, Minute Books, Final Record Books or indices in such cases.

Also:

H. 152. To alter or rearrange the boundary lines of the City of Troy, Pike County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Pike County, Alabama.

Also:

H. 149. To amend further Act No. 658, H. 1030, Regular Session 1959, an act providing for a county privilege license or excise tax on cigarettes in Madison County (Acts 1959, vol. 2, p. 1592).

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Clark:

S. 71. To amend the title to and Section 1 of Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956 (as heretofore amended), entitled, "An Act relative to municipalities in this state having a population of not less than 23,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity, authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof," so as to make said Act applicable to municipalities having a population of not less than 8,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

Also:

By Mr. Godfrey:

S. 72. To propose an amendment to the Constitution authorizing the issuance and sale of warrants payable from the proceeds of special school taxes in DeKalb County for the purpose of refinancing any deficit created by proration of school funds prior to June 1, 1962.

Also:

By Mr. Shelton:

S. 73. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 70,000 nor more than 96,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses,

provide for their collection and distribution; and to prescribe penalties for violation of this Act.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 71. Local Legislation No. 1

S. 72. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1

S. 73. Local Legislation No. 1

RECESS

Mr. Smith (Russell) moved that the House recess for one hour.

The substitute motion of Mr. Hain that the House adjourn until Monday, July 9, 1962, at twelve o'clock, noon, was lost.

Yeas 14; Nays 75.

Yeas:

Messrs.	Copeland	Gilmer	Ramey
Bishop	Edwards	Hain	Salter
Broadfoot	Franklin	Johnson (J. T. Tom)	Shumate
Callahan	Gilchrist	Locke	

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Nays:

Mr. Speaker	Dunn	Jones (Covington)	Rast
Adams	Engel	Jones (Monroe)	Ray
Albea	Faulk	Lee	Reynolds (Chambers)
Avery	Ford	Long (Perry)	Reynolds (Madison)
Bailey	Glass	McClendon (Chambers)	Roberts
Barnett	Goldthwaite	McCorquodale	Rogers (Macon)
Bassett	Goodwyn	McLendon (Butlock)	Rogers (Mobile)
Bevill	Gordon	Martin	Self
Brannan	Grant	Meade	Sessions
Branyon	Gross	Merrill	Smith (Russell)
Brewer	Grouby	Murphy	Smith (St. Clair)
Britton	Guthrie	Nettles	Solomon
Brooks	Hanby	Oakley	Sorrell
Cabiness	Harvey	Oden	Steagall
Casey	Hawkins	Owens	Sullivan
Cates	Hearn	Perry	Thomas
Cornett	Ingram	Pierce	Torbert
Daniel	Jenkins	Powell	Vickers
Dodd	Johnston (Leonard)	Pruitt	

—75

And the substitute motion of Mr. Murphy that the House adjourn until Tuesday, July 10, 1962, at twelve o'clock, noon, was lost.

Yeas 24; Nays 68.

Yeas:

Messrs.	Edwards	Johnson (J. T. Tom)	Rogers (Mobile)
Brewer	Ford	Long (Lauderdale)	Self
Britton	Gilchrist	Murphy	Sessions
Broadfoot	Gordon	Oakley	Shumate
Cabiness	Gross	Ramey	Sullivan
Callahan	Hain	Rast	Turner
Dodd			

—24

Nays:

Mr. Speaker	Engel	Jones (Covington)	Powell
Adams	Faulk	Jones (Monroe)	Pruitt
Albea	Gilmer	Lee	Ray
Avery	Glass	Locke	Reynolds (Chambers)
Bailey	Goldthwaite	Long (Perry)	Reynolds (Madison)
Barnett	Goodwyn	McClendon (Chambers)	Roberts
Bassett	Grant	McCorquodale	Rogers (Macon)
Bevill	Grouby	McLendon (Bullock)	Smith (Russell)
Bishop	Guthrie	Martin	Smith (St. Clair)
Brannan	Hanby	Meade	Solomon
Branyon	Hankins	Merrill	Sorrell
Casey	Harris	Morrow	Steagall
Cates	Harvey	Nettles	Taylor
Copeland	Hawkins	Oden	Thomas
Cornett	Ingram	Owens	Torbert
Daniel	Jenkins	Perry	Turnham
Dunn	Johnson (Hardaway)	Pierce	Vickers

—68

And the substitute motion of Mr. Brewer that the House recess until 3:15 o'clock this afternoon was adopted.

The hour of 3:15 o'clock P.M. having arrived, the House reconvened. The Speaker called the House to order.

RECESS

The motion of Mr. Pruitt that the House recess until 5:00 o'clock this afternoon was adopted.

Yeas 58; Nays 27.

Yeas:

Mr. Speaker	Branyon	Engel	Hanby
Adams	Casey	Faulk	Hankins
Avery	Cates	Ford	Harris
Bailey	Cornett	Franklin	Harvey
Barnett	Daniel	Glass	Ingram
Bassett	Dickson	Goodwyn	Jenkins
Bevill	Dodd	Grouby	Jones (Monroe)
Bishop	Dunn	Guthrie	Lee

Long (Perry)	Pierce	Rogers (Macon)	Steagall
McClendon (Chambers)	Powell	Rogers (Mobile)	Sullivan
McCorquodale	Pruitt	Smith (Russell)	Taylor
McLendon (Bullock)	Ramey	Smith (St. Clair)	Thomas
Martin	Ray	Sorrell	Torbert
Merrill	Reynolds (Madison)	Speaks	Turnham
Oden	Roberts		

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Nays:

Messrs.	Copeland	Johnson (Hardaway)	Morrow
Albea	Gilmer	Johnson (J. T. Tom)	Murphy
Brannan	Goldthwaite	Johnston (Leonard)	Perry
Brewer	Gordon	Jones (Covington)	Reynolds (Chambers)
Broadfoot	Gross	Locke	Sessions
Cabiness	Hain	Long (Lauderdale)	Shumate
Cook	Hardy	Meade	Solomon

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The hour of 5:00 o'clock P.M. having arrived, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolution, your signature thereto is requested:

S. 48. Relating to the Partlow State School for Mental Deficients; changing the name of such institution to Partlow State School and Hospital.

Also:

S. 60. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 18,000 nor more than 19,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

S. 62. To abolish the City Court of Demopolis, an inferior court established in lieu of justices of the peace for the Demopolis precinct, Marengo County, and to reestablish the office of justice of the peace in that precinct; providing for the election or appointment of two justices of the peace for the precinct, and prescribing their jurisdiction, powers and duties.

Also:

S. J. R. 9. Requesting the consideration of the President of the United States as to the appointment of the Honorable Frank W. Boykin to the of-

fice of Secretary, United States Department of Health, Education, and Welfare.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolution, the titles to which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 107. To further amend Section 4 (a) of act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court" (Act No. 345, S. 291, 1955 Acts Vol. II, p. 783).

Also:

H. 141. Relating to Colbert County; fixing the compensation of the chairman of the board of revenue, court of county commissioners, or other like governing body of Colbert County.

Also:

H. 145. Relating to counties having populations of not less than 40,000 nor more than 45,000; to provide additional compensation for the chief deputy and all other deputy sheriffs of all such counties.

Also:

H. 148. To authorize the Registers of all Circuit Courts, in Counties having a population of 500,000 inhabitants or more, according to the last or any subsequent Federal Census, to destroy all documents, papers and exhibits filed in divorce cases in such Courts after the expiration of 20 years from the filing date of the final decree in such cases, and making the Minute Books and Final Record Books the official Court Record of such destroyed documents; but no authority is given herein to destroy the dockets, docket sheets, Minute Books, Final Record Books or indices in such cases.

Also:

H. 149. To amend further Act No. 658, H. 1030, Regular Session 1959, an act providing for a county privilege license or excise tax on cigarettes in Madison County (Acts 1959, vol. 2, p. 1592).

Also:

H. 152. To alter or rearrange the boundary lines of the City of Troy, Pike County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Pike County, Alabama.

Also:

H. 146. Proposing an amendment to the Constitution of Alabama relative to the rate of taxation on property in the City of Russellville for public school purposes.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:45 A.M. On July 6, 1962

H. J. R. 22

H. J. R. 23

H. J. R. 25

Delivered to the Governor at 5:15 P.M. On July 6, 1962

H. 107

H. 141

H. 145

H. 148

H. 149

H. 152

OAKLEY MELTON, JR.,
Clerk.

INTRODUCTION OF BILL

Mr. Branyon, having previously obtained unanimous consent, introduced the following bill which was read a first time at length and referred to appropriate standing committee, as follows:

By Mr. Branyon:

H. 192. To enact a code of insurance laws.

Insurance.

ADJOURNMENT

The hour of 12:00 o'clock, midnight, having arrived, the Speaker announced that the House stood adjourned to meet again at 12:01 A.M., Saturday, July 7, 1962.

THIRTEENTH DAY

House of Representatives
Montgomery, Alabama
Saturday, July 7, 1962

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Honorable J. J. Pierce, Member of the House of Representatives, Montgomery County, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Bassett	Broadfoot	Cates
Adams	Bevill	Cabiness	Cornett
Barnett	Branyon	Camp	Daniel

Dunn	Harris	Morrow	Roberts
Engel	Jenkins	Murphy	Rogers (Mobile)
Ford	Johnston (Leonard)	Nettles	Sessions
Gilchrist	Jones (Covington)	Oden	Shumate
Gilmer	Locke	Perry	Smith (Russell)
Glass	Long (Perry)	Pierce	Smith (St. Clair)
Goldthwaite	McClendon (Chambers)	Pruitt	Sullivan
Grant	McCorquodale	Rast	Turner
Grouby	Meade	Reynolds (Chambers)	Turnham
Hanby	Merrill	Reynolds (Madison)	

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ADJOURNMENT

Mr. Pruitt moved that the House recess until ten o'clock this morning.

The substitute motion of Mr. Reynolds (Chambers) that the House adjourn until Tuesday, July 10, 1962, at ten o'clock A.M. was adopted.

Yeas 28; Nays 23.

Yeas:

Messrs.	Gilchrist	Meade	Reynolds (Madison)
Bevill	Gilmer	Murphy	Rogers (Mobile)
Branyon	Glass	Nettles	Sessions
Broadfoot	Harris	Oden	Shumate
Cabiness	Johnston (Leonard)	Perry	Smith (St. Clair)
Daniel	Jones (Covington)	Rast	Sullivan
Engel	Locke	Reynolds (Chambers)	Turner
Ford			

—28

Nays:

Mr. Speaker	Cornett	Jenkins	Pierce
Adams	Dunn	Long (Perry)	Pruitt
Barnett	Goldthwaite	McClendon (Chambers)	Roberts
Bassett	Grant	McCorquodale	Smith (Russell)
Camp	Grouby	Merrill	Turnham
Cates	Hanby	Morrow	

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FOURTEENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, July 10, 1962

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Millard Spikes, Pastor, St. Marks Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dunn	Jenkins	Pruitt
Adams	Edwards	Johnson (Hardaway)	Ramey
Albea	Engel	Johnson (J. T. Tom)	Rast
Avery	Faulk	Johnston (Leonard)	Ray
Bailey	Ferguson	Jones (Covington)	Reynolds (Chambers)
Barnett	Ford	Jones (Monroe)	Roberts
Bassett	Franklin	Lee	Rogers (Macon)
Bevill	Gilchrist	Locke	Rogers (Mobile)
Bishop	Gilmer	Long (Lauderdale)	Salter
Brannan	Glass	Long (Perry)	Self
Branyon	Goldthwaite	McClendon (Chambers)	Sessions
Brewer	Goodwyn	McCorquodale	Shumate
Britton	Gordon	McLendon (Bullock)	Smith (Russell)
Broadfoot	Grant	Martin	Smith (St. Clair)
Brooks	Gross	Meade	Solomon
Cabiness	Grouby	Merrill	Sorrell
Callahan	Guthrie	Morrow	Speaks
Camp	Hain	Murphy	Steagall
Casey	Hanby	Nettles	Sullivan
Cates	Hankins	Nichols	Taylor
Cook	Hardy	Oakley	Thomas
Copeland	Harris	Oden	Torbert
Cornett	Harvey	Owens	Turner
Daniel	Hawkins	Perry	Turnham
Dickson	Hearn	Pierce	Vickers
Dodd	Ingram	Powell	

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Jones (Monroe) leave of absence was granted to Mr. Rozelle because of personal illness.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 59. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

J. E. SPEIGHT,
Secretary.

S. Sub. for HB 59

A BILL
TO BE ENTITLED
AN ACT

To fix the number of senators and representatives in the legislature, divide the state into senatorial districts, and apportion the senators and representatives among the several districts and counties.

Be It Enacted by the Legislature of Alabama:

Section 1. The senate of the legislature shall be composed of 35 senators representing 35 senatorial districts, each district to elect one senator and no more.

Section 2. The state is hereby divided into 35 senatorial districts as follows:

First, the counties of Lauderdale and Limestone; second, the counties of Lawrence and Morgan; third, the counties of Cullman and Winston; fourth, the county of Madison; fifth, the counties of Jackson and Marshall; sixth, the county of Etowah; seventh, the county of Calhoun; eighth, the county of Talladega; ninth, the counties of Randolph and Chambers; tenth, the counties of Elmore and Tallapoosa; eleventh, the county of Tuscaloosa; twelfth, the counties of Fayette and Walker; thirteenth, the county of Jefferson; fourteenth, the counties of Pickens and Lamar; fifteenth, the counties of Autauga, Chilton and Shelby; sixteenth, the counties of Monroe and Wilcox; seventeenth, the counties of Butler, Covington and Conecuh; eighteenth, the counties of Bibb and Perry; nineteenth, the counties of Clarke, Choctaw and Washington; twentieth, the counties of Marengo and Sumter; twenty-first, the counties of Baldwin and Escambia; twenty-second, the counties of Blount and St. Clair; twenty-third, the counties of Dale and Geneva; twenty-fourth, the counties of Barbour and Pike; twenty-fifth, the counties of Coffee and Crenshaw; twenty-sixth, the counties of Bullock and Macon; twenty-seventh, the counties of Lee and Russell; twenty-eighth, the county of Montgomery; twenty-ninth, the counties of Cherokee and De Kalb; thirtieth, the counties of Dallas and Lowndes; thirty-first, the counties of Colbert, Franklin and Marion; thirty-second, the counties of Greene and Hale; thirty-third, the county of Mobile; thirty-fourth, the counties of Coosa, Clay and Cleburne; thirty-fifth, the counties of Henry and Houston.

In districts consisting of more than one county, the senators shall not be elected for more than one term consecutively from any one county in the district, but shall reside in and be elected alternately and in turn from each of the counties within such district. The first senator to be elected in such districts shall reside in the county having the largest population, except where that county had the last preceding senator. It is provided, however, that any senator in office on the effective date of this enactment shall be eligible to succeed himself as a member of the Senate, any other provision of this paragraph to the contrary notwithstanding.

Section 3. The house of representatives of the legislature shall consist of 106 members distributed among the several counties of the state as follows:

The county of Jefferson shall have and elect 12, the county of Mobile 6, and the county of Montgomery 4; the counties of Calhoun, Etowah, Madison and Tuscaloosa 3 each; the counties of Baldwin, Colbert, Cullman, Dallas, Houston, Lauderdale, Lee, Marshall, Morgan, Russell, Talladega and Walker 2 each; and the remaining counties 1 each.

Section 4. This Act shall take effect for the election of senators and representatives at the general election to be held in November 1966, and shall be effective thereafter until the legislature is reapportioned according to law.

Section 5. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

SENATE MESSAGE

Mr. Smith (Russell) moved that the House concur in the Senate substitute for the bill, H. 59, set out in the above and foregoing Message from the Senate.

The motion of Mr. Jones (Monroe) to lay on the table the substitute motion of Mr. Hardy that the House non-concur in the Senate substitute for the bill, H. 59, and request a Committee of Conference, was lost.

Yeas 50; Nays 51.

Yeas:

Mr. Speaker	Dickson	Johnston (Leonard)	Ramey
Adams	Dodd	Jones (Monroe)	Ray
Albea	Faulk	Lee	Smith (Russell)
Avery	Franklin	Long (Perry)	Smith (St. Clair)
Barnett	Glass	Martin	Solomon
Brannan	Guthrie	Meade	Sorrell
Brooks	Hanby	Merrill	Steagall
Callahan	Hankins	Nichols	Sullivan
Camp	Harvey	Oakley	Thomas
Casey	Hearn	Oden	Torbert
Cook	Ingram	Owens	Turnham
Copeland	Jenkins	Pruitt	Vickers
Cornett	Johnson (Hardaway)		

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Nays:

Messrs.	Engel	Harris	Pierce
Bailey	Ferguson	Hawkins	Powell
Bevill	Ford	Johnson (J. T. Tom)	Rast
Bishop	Gilchrist	Jones (Covington)	Reynolds (Chambers)
Branyon	Gilmer	Locke	Roberts
Brewer	Goldthwaite	Long (Lauderdale)	Rogers (Macon)
Britton	Goodwyn	McClendon (Chambers)	Rogers (Mobile)
Broadfoot	Gordon	McCorquodale	Salter
Cabiness	Grant	McLendon (Bullock)	Self
Cates	Gross	Morrow	Sessions
Daniel	Grouby	Murphy	Shumate
Dunn	Hain	Nettles	Speaks
Edwards	Hardy	Perry	Turner

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MOTION TO RECESS LOST

The motion of Mr. Salter that the House recess until 1:30 o'clock this afternoon was lost.

Yeas 45; Nays 55.

Yeas:

Mr. Speaker	Branyon	Dickson	Hankins
Albea	Broadfoot	Faulk	Harvey
Avery	Callahan	Ford	Hearn
Barnett	Copeland	Grant	Jenkins
Bassett	Daniel	Guthrie	Johnson (Hardaway)

Johnston (Leclard)	Nettles	Ray	Steagall
Jones (Monroe)	Nichols	Salter	Sullivan
Long (Perry)	Oden	Self	Taylor
Martin	Owens	Smith (Russell)	Torbert
Meade	Pruitt	Smith (St. Clair)	Turnham
Merrill	Ramey	Solomon	Vickers
Murphy			

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Nays:

Messrs.	Dodd	Hain	Oakley
Adams	Dunn	Hanby	Perry
Bailey	Edwards	Hardy	Pierce
Bevill	Engel	Harris	Powell
Bishop	Ferguson	Hawkins	Rast
Brannan	Franklin	Ingram	Reynolds (Chambers)
Brewer	Gilchrist	Johnson (J. T. Tom)	Roberts
Brooks	Gilmer	Jones (Covington)	Rogers (Macon)
Cabiness	Glass	Lee	Rogers (Mobile)
Camp	Goldthwaite	Locke	Sessions
Casey	Goodwyn	McClendon (Chambers)	Shumate
Cates	Gordon	McCorquodale	Sorrell
Cook	Gross	McLendon (Bullock)	Speaks
Cornett	Grouby	Morrow	Turner

—55

CONSIDERATION OF H. 59 RESUMED

H. 59. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Was again taken up.

The question was on the substitute motion of Mr. Hardy that the House non-concur in the Senate substitute for the bill, H. 59, and request a Committee of Conference, and said motion was lost.

Yeas 49; Nays 54.

Yeas:

Messrs.	Ferguson	Johnson (J. T. Tom)	Powell
Bailey	Ford	Jones (Covington)	Rast
Bevill	Gilchrist	Locke	Reynolds (Chambers)
Bishop	Gilmer	Long (Lauderdale)	Roberts
Branyon	Goldthwaite	McClendon (Chambers)	Rogers (Macon)
Brewer	Goodwyn	McCorquodale	Rogers (Mobile)
Britton	Gordon	McLendon (Bullock)	Salter
Broadfoot	Gross	Morrow	Self
Cabiness	Grouby	Murphy	Sessions
Cates	Hain	Nettles	Shumate
Dunn	Hardy	Perry	Speaks
Edwards	Harris	Pierce	Turner
Engel	Hawkins		

—49

Nays:

Mr. Speaker	Daniel	Johnson (Hardaway)	Ramey
Adams	Dickson	Johnston (Leonard)	Ray
Albea	Dodd	Jones (Monroe)	Smith (Russell)
Avery	Faulk	Lee	Smith (St. Clair)
Barnett	Franklin	Long (Perry)	Solomon
Bassett	Glass	Martin	Sorrell
Brannan	Grant	Meade	Steagall
Brooks	Guthrie	Merrill	Sullivan
Callahan	Hanby	Nichols	Taylor
Camp	Hankins	Oakley	Thomas
Casey	Harvey	Oden	Torbert
Cook	Hearn	Owens	Turnham
Copeland	Ingram	Pruitt	Vickers
Cornett	Jenkins		

—54

RECESS

On motion of Mr. Ferguson the House recessed until 1:30 o'clock this afternoon.

Yeas 60; Nays 41.

Yeas:

Messrs.	Engel	Johnson (J. T. Tom)	Ramey
Albea	Faulk	Johnston (Leonard)	Rast
Bailey	Ferguson	Jones (Covington)	Ray
Barnett	Ford	Locke	Reynolds (Chambers)
Bevill	Gilchrist	Long (Lauderdale)	Roberts
Bishop	Gilmer	McCorquodale	Rogers (Wacon)
Brannan	Goldthwaite	McLendon (Bullock)	Rogers (Mobile)
Branyon	Goodwyn	Meade	Salter
Brewer	Gross	Morrow	Self
Britton	Grouby	Murphy	Sessions
Broadfoot	Hain	Nettles	Shumate
Cabiness	Hardy	Nichols	Smith (St. Clair)
Callahan	Harris	Oden	Speaks
Cates	Hawkins	Perry	Steagall
Dunn	Hearn	Powell	Turner
Edwards			

—60

Nays:

Mr. Speaker	Dickson	Johnson (Hardaway)	Pruitt
Adams	Dodd	Jones (Monroe)	Smith (Russell)
Avery	Franklin	Lee	Solomon
Bassett	Glass	Long (Perry)	Sorrell
Brooks	Gordon	McClendon (Chambers)	Sullivan
Camp	Grant	Martin	Taylor
Casey	Hanby	Merrill	Thomas
Cook	Hankins	Oakley	Torbert
Copeland	Ingram	Owens	Turnham
Cornett	Jenkins	Pierce	Vickers
Daniel			

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AFTERNOON SESSION

The hour of 1:30 o'clock P.M. having arrived, the House reconvened. The Speaker called the House to order.

CONSIDERATION OF H. 59 RESUMED

H. 59. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Was again taken up.

The question was then on the motion of Mr. Smith (Russell) that the House concur in the Senate substitute for the bill, H. 59.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Brewer to suspend the rules in order to take up for consideration Messages from the Governor, to allow the Standing Committees on Local Legislation No. 1 and Local Legislation No. 2 to report, for the introduction of local bills, and to take up for consideration the third reading of local bills, was lost.

Yeas 61; Nays 38.

Yeas:

Messrs.	Dunn	Hawkins	Nichols
Albea	Edwards	Hearn	Owens
Bailey	Engel	Johnson (Hardaway)	Perry
Barnett	Ferguson	Johnson (J. T. Tom)	Pierce
Bevill	Ford	Johnston (Leonard)	Powell
Bishop	Gilchrist	Jones (Covington)	Rast
Brannan	Gilmer	Locke	Reynolds (Chambers)
Branyon	Goldthwaite	Long (Lauderdale)	Rogers (Macon)
Brewer	Goodwyn	Long (Perry)	Rogers (Mobile)
Britton	Gordon	McClendon (Chambers)	Salter
Broadfoot	Gross	McCorquodale	Self
Cabiness	Grouby	McLendon (Bullock)	Sessions
Camp	Hain	Morrow	Shumate
Cates	Hankins	Murphy	Speaks
Copeland	Hardy	Nettles	Turner
Dodd	Harris		

—61

Nays:

Mr. Speaker	Dickson	Lee	Solomon
Adams	Faulk	Martin	Sorrell
Avery	Franklin	Merrill	Steagall
Bassett	Glass	Oakley	Sullivan
Brooks	Grant	Oden	Taylor
Callahan	Hanby	Pruitt	Thomas
Casey	Harvey	Ray	Torbert
Cook	Ingram	Smith (Russell)	Turnham
Cornett	Jenkins	Smith (St. Clair)	Vickers
Daniel	Jones (Monroe)		

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FURTHER CONSIDERATION OF H. 59 TEMPORARILY POSTPONED

On motion of Mr. Brewer further consideration of the motion of Mr. Smith (Russell) that the House concur in the Senate substitute for the bill, H. 59, was temporarily postponed.

Yeas 55; Nays 44.

Yeas:

Messrs.	Edwards	Hawkins	Owens
Barnett	Engel	Johnson (Hardaway)	Perry
Bevill	Ferguson	Johnson (J. T. Tom)	Pierce
Bishop	Ford	Johnston (Leonard)	Powell
Brannan	Gilchrist	Jones (Covington)	Rast
Branyon	Gilmer	Locke	Reynolds (Chambers)
Brewer	Goldthwaite	Long (Lauderdale)	Roberts
Britton	Goodwyn	McClendon (Chambers)	Rogers (Mobile)
Broadfoot	Gordon	McCorquodale	Salter
Cabiness	Gross	McLendon (Bullock)	Self
Camp	Grouby	Morrow	Sessions
Cates	Hain	Murphy	Shumate
Copeland	Hardy	Nettles	Speaks
Dunn	Harris	Nichols	Turner

—55

Nays:

Mr. Speaker	Daniel	Jones (Monroe)	Smith (Russell)
Adams	Dickson	Lee	Smith (St. Clair)
Albea	Faulk	Long (Perry)	Solomon
Avery	Franklin	Martin	Sorrell
Bailey	Glass	Merrill	Steagall
Bassett	Grant	Oakley	Sullivan
Brooks	Hanby	Oden	Taylor
Callahan	Hankins	Pruitt	Thomas
Casey	Harvey	Ramey	Torbert
Cook	Ingram	Ray	Turnham
Cornett	Jenkins	Rogers (Macon)	Vickers

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REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twelfth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the twelfth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twelfth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has

carefully examined the Journal of the House for the thirteenth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the thirteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirteenth legislative day was approved.

GOVERNOR'S MESSAGE

The House proceeded to the consideration of the Message from the Governor returning the bill, H. 32, without his approval, said Message from the Governor being set out in the Journal of the House on the eleventh legislative day, and

The House proceeded to reconsider the bill:

H. 32. To confer upon the Alabama Public Service Commission exclusive authority and power to regulate the rates of and to supervise certain public utilities the operations of which are exempt, in whole or in part, from the provisions of the Alabama Motor Carrier Act of 1939, and which said utilities are engaged in business as common carriers of passengers for hire within counties having a population of 500,000 or more inhabitants according to the latest or any subsequent federal census.

The question was upon the passage of the bill, H. 32, the Governor's veto to the contrary notwithstanding.

And the bill, H. 32, was again read at length and passed, the Governor's veto to the contrary notwithstanding.

Yeas 73; Nays 3.

Yeas:

Messrs.	Dickson	Ingram	Powell
Adams	Dodd	Jenkins	Ramey
Albea	Dunn	Johnson (Hardaway)	Rast
Avery	Edwards	Johnson (J. T. Tom)	Reynolds (Chambers)
Bailey	Engel	Johnston (Leonard)	Roberts
Barnett	Ferguson	Jones (Covington)	Rogers (Macon)
Bevill	Ford	Jones (Monroe)	Rogers (Mobile)
Brannan	Gilchrist	Lee	Salter
Brewer	Gilmer	Long (Lauderdale)	Self
Britton	Goldthwaite	Long (Perry)	Sessions
Brooks	Goodwyn	McLendon (Bullock)	Shumate
Callahan	Gordon	Merrill	Smith (St. Clair)
Camp	Grant	Morrow	Steagall
Casey	Gross	Murphy	Sullivan
Cates	Grouby	Nettles	Thomas
Cook	Guthrie	Oakley	Torbert
Copeland	Hain	Perry	Turner
Cornett	Hanby	Pierce	Turnham
Daniel	Hawkins		

Nays:

Messrs.

Cabiness

Locke

Smith (Russell)

—3

Which was a majority of the whole number elected to the House.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 96. Relating to Colbert County; levying additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20 of Title 51, Code of Alabama 1940, and amendments and additions thereto; providing for the enforcement and collection of the taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; prescribing the purposes for which such proceeds may be used; and superseding Act No. 485, H. 1049, approved August 30, 1949 (Acts 1949, p. 704), the county sales and use tax law.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 71. To amend the title to and Section 1 of Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956 (as heretofore amended), entitled, "An act relative to municipalities in this state having a population of not less than 23,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing

the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof," so as to make said Act applicable to municipalities having a population of not less than 8,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

S. 72. To propose an amendment to the Constitution authorizing the issuance and sale of warrants payable from the proceeds of special school taxes in DeKalb County for the purpose of refinancing any deficit created by proration of school funds prior to June 1, 1962.

The above bill was read a second time at length as required by the Constitution.

S. 73. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 70,000 nor more than 96,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this act.

H. 178. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 65,000 nor more than 90,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

H. 180. For the relief of John T. Lancaster, authorizing and requiring the county governing body of Tuscaloosa County, Alabama, to make an appropriation from the county treasury to compensate the said John T. Lancaster for certain damages.

H. 185. To amend Act No. 368, H. 814, Regular Session 1953 (Acts 1953, Vol. I, p. 438) relating to an automobile expense allowance for the sheriff of Greene County; giving the Act retroactive effect.

H. 189. To alter and rearrange the boundaries of the City of Opp, Covington County, so as to exclude certain territory incorporated into the city by Act No. 437, Regular Session 1957.

Mr. Perry, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 177. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

H. 186. To further amend Act No. 551 of the Legislature of Alabama of 1953, approved September 9, 1953, Acts of Alabama of 1953, page 766, et seq., as heretofore amended.

H. 187. To amend Act No. 843 of the Regular Session of the Legislature of Alabama of 1961, approved September 8, 1961.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 28. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for any county in this State which has a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal decennial census.

H. 29. To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census, from making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of passing vehicles, unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use.

H. 190. Supplement to Act No. 538 H1009 approved September 16, 1939, (Local Acts of Alabama 1939, Page 329), as amended, which establishes the Inferior Court of Geneva County; to increase the compensation of the Judge and Stenographer of said Court.

H. 191. To Fix the Salary of the Deputy Solicitor of Geneva County.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Steagall and Faulk:

H. 193. Relating to the Office of the Circuit Solicitor of the Thirty-Third Judicial Circuit: Creating a fund for the use of certain state officers of said Circuit.

Local Legislation No. 1.

By Messrs. Perry, Sessions, Rast, Hawkins, Morrow, Locke and Edwards:

H. 194. TO AMEND ACT NO. 843 OF THE REGULAR SESSION OF THE LEGISLATURE OF ALABAMA OF 1961, APPROVED SEPTEMBER 8, 1961.

Local Legislation No. 2.

By Messrs. Sessions, Perry, Locke, Hawkins, Morrow, Rast and Edwards
(with notice and proof):

H. 195. FOR THE RELIEF OF H. E. BRYANT; PROVIDING THAT THE BOARD OF MANAGERS OF THE CITY OF BIRMINGHAM RETIREMENT AND RELIEF SYSTEM, ESTABLISHED BY ACT NO. 929 OF THE REGULAR SESSION OF THE LEGISLATURE OF ALABAMA OF 1951, APPROVED SEPTEMBER 12, 1951 (ACTS OF ALABAMA OF 1951, PAGE 1579, ET SEQ.) SHALL HAVE SIX MONTHS FROM THE EFFECTIVE DATE OF THIS ACT IN WHICH TO TAKE ACTION ON THE APPLICATION OF H. E. BRYANT FOR EXTRAORDINARY DISABILITY ALLOWANCE.

Local Legislation No. 2.

Notice and Proof H. 195:

NOTICE

Notice is hereby given of intention to apply at the present special session of the Legislature of Alabama, for introduction and passage of a Bill the substance of which, as distinguished from details, is and will be the substance, as distinguished from detail of the following:

A BILL TO BE ENTITLED AN ACT

Notice is hereby given that at the Special Session of the Legislature of Alabama which convened at the State Capitol on June 12, 1962, there will be made to the Legislature application for the enactment of a special act for the relief of H. E. Bryant, which said special act will provide that the Board of Managers of the City of Birmingham Retirement and Relief System established by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951, (Acts of Alabama of 1951, page 1579, et seq.) shall have six months from the effective date of the said special act in which to take action on the application of the said Bryant for extraordinary disability allowance under said Act. No. 929.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie, who, being by me first duly sworn, deposes and says that she is the Publisher of Alabama Legal Advertiser, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 16, 23, 30 July 7, 1962, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 9 day of July, 1962.

MARY LINTON,
Notary Public.

By Mr. Broadfoot:

H. 196. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Judiciary.

By Mr. Roberts (with notice and proof):

H. 197. To fix the compensation of the coroner of Madison County.

Local Legislation No. 1.

Notice and Proof H. 197:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the compensation of the coroner of Madison County.

Be It Enacted by the Legislature of Alabama:

Section 1. The coroner of Madison County shall receive a monthly salary of one hundred twenty-five dollars (\$125), payable out of the general fund of the county on warrants drawn as prescribed by law.

Section 2. The compensation herein provided for the coroner of Madison County shall be in lieu of all fees, commissions, percentages and allowances prescribed by law for the performance of the duties of his office, and such fees, commissions, percentages or allowances shall be paid into the general fund of the county.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 12, June 19, June 26, and July 3, all in the year 1962.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 5, 1962.

OPAL H. DILWORTH,
Title Notary Public.

By Messrs. Engel, Rogers (Mobile) and Murphy (with notice and proof):

H. 198. To amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, vol. 1, p. 273), which relates to Mobile County.

Local Legislation No. 1.

Notice and Proof H. 198:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, vol. 1, p. 273), which relates to Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 216, H. 598, Regular Session 1957 (Acts 1957, vol. 1, p. 273), an act relating to bailiffs who serve in the General Sessions Court of Mobile County, is hereby amended to read as follows:

"Section 1. Each judge of the Court of General Sessions of Mobile County created by an act approved by an act approved March 23, 1956, is authorized and empowered to appoint, without regard to the county merit or civil service system, one bailiff for the court. Each bailiff appointed shall hold office at the will and pleasure of the judge who appoints him, and shall be paid an annual salary of not more than Forty Nine Hundred dollars, to be fixed by the judge. The compensation of such bailiff shall be paid from the county treasury on the certificate of the appointing judge showing that the bailiff had performed the duties assigned to him."

D. E. Miller, Jr., being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register; daily newspapers printed and pub-

lished in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register June 16, 23, 30 July 7, 1962.

D. E. MILLER, JR.

Sworn to and subscribed before me this 7th day of July, 1962.

JOHN A. BELL,
Notary Public.

By Messrs. Harvey and Pruitt:

H. 199. To apply only in counties having populations of not less than 20,000 nor more than 21,000; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken; prescribing penalties.

Local Legislation No. 1.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Hawkins to suspend the rules in order to introduce resolutions out of order was adopted.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Hawkins, Edwards, Morrow, Rast, Locke, Perry and Sessions:

H. J. R. 29. Whereas, the Legislature of Alabama has been saddened by the untimely passing of Mr. David Trotter Jones in Birmingham, Alabama on July 9, 1962, and

Whereas, Mr. Jones was executive vice president of Associated Industries of Alabama and was influential in the promotion and development of many industries in Alabama and in bringing other industries into our state, and

Whereas, his ability and devotion to industrial development have long been recognized as evidenced by his appointment to many committees of the National Industrial Council, and his elevation to the chairmanship of the Alabama Division of the Council, and

Whereas, Mr. Jones was for thirteen years State Adjutant General of the American Legion, having served with distinction overseas in World War I, and

Whereas, Mr. Jones was a prime factor in the establishment of Boys State and was a leader in many other civic, social and cultural enterprises, and

Whereas, Mr. Jones was a devout communicant of the Episcopal Church to which he gave his untiring efforts, being a trustee of St. Martin's-in-the-Pines, Episcopal Home for the Aging, therefore

Be It Resolved by the Legislature of Alabama:

That this body expresses its deepest sorrow and regret upon the death of Mr. Jones and extends its sincere sympathy to Mrs. Jones and to his daughters, Mrs. Clay Davis and Mrs. Manson Murray.

Be It Further Resolved that a copy of this resolution be sent to Mrs. Jones and that it be spread upon the pages of the journal.

On motion of Mr. Hawkins the rules were suspended and H. J. R. 29 was adopted.

Also:

By Mr. Cabiness:

H. J. R. 30. Whereas, it has been disclosed that the State of Alabama has in the past twenty-seven months paid more than eight hundred thousand dollars to a private corporation for painting highway traffic lanes; and

Whereas, it has been alleged that State Highway Department cost studies indicate state employees operating existing state marking equipment could have done the work for less than three hundred thousand dollars; and

Whereas, a reasonable conclusion from these figures is that there has been an extravagant waste of public funds; and

~~Whereas, the Legislature feels that the entire situation needs investigation and clarification; now therefore~~

Be It Resolved By The House of Representatives, The Senate Concurring, That the Attorney General is hereby requested to make a complete and thorough investigation into the letting of the contract to paint traffic lanes on the state's highways, and to take whatever action he deems necessary or appropriate in the premises.

The motion of Mr. Cabiness to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 30 was lost.

Yeas 29; Nays 18.

Yeas:

Messrs.	Dodd	Guthrie	Long (Perry)
Bailey	Dunn	Johnson (Hardaway)	Perry
Barnett	Engel	Johnson (J. T. Tom)	Ramey
Brewer	Ferguson	Johnston (Leonard)	Rogers (Mobile)
Britton	Ford	Jones (Covington)	Salter
Cabiness	Gilchrist	Locke	Smith (St. Clair)
Camp	Goodwyn	Long (Lauderdale)	Speaks
Copeland	Gross		

—29

Nays:

Mr. Speaker	Callahan	Daniel	Ingram
Adams	Cornett	Grouby	Jones (Monroe)

Nichols
Pruitt
Ray

Rogers (Macon)
Shumate
Smith (Russell)

Solomon
Sorrell

Sullivan
Vickers

—18

And said resolution H. J. R. 30 was read and referred to the Standing Committee on Rules.

POINTS OF PERSONAL PRIVILEGE

Messrs. Guthrie and Copeland requested as a matter of personal privilege that the Journal show that they voted "yea" through mistake on the motion of Mr. Cabiness to suspend the rules in order to bring up for immediate consideration the resolution, H. J. R. 30, and requested that the Journal show that they desired to vote "nay".

Also:

By Messrs. Harvey, Turnham, Oakley, Bishop, Jenkins, Grant, Hardy, Jones (Covington), Glass, Rogers (Macon), Dodd, Long (Lauderdale), McCorquodale, Jones (Monroe), Brannan, Albea, Salter, Bassett, Pierce, Faulk, Sullivan, Ford, McLendon (Bullock), Hankins, Ashworth, Torbert, Bailey, Merrill, Pruitt, Smith (Russell), Turner, Goodwyn, Camp and Adams:

H. J. R. 31. Whereas, W. A. LeCroy assumed the responsibilities of the office of State Superintendent of Education on July 1, 1961, to serve the unexpired term of Dr. Frank R. Stewart, and

Whereas, at the time of his appointment stringencies resulting from proration of educational funds presented grave problems involving teachers salaries, shortened school terms, deficit financing in many school districts, and many other problems, all of which presented a formidable challenge to the administrative leadership in the State Department of Education, and

Whereas, W. A. LeCroy responded to the challenge with ability and diligence, and devotion to duty, and in such a manner as to inspire those with whom he labored, and to evoke the respect and admiration of this legislature for a job well done, and

Whereas, the appointive term of W. A. LeCroy will shortly expire and it being the desire of this legislature to publicly recognize and commend his achievements in office, now therefore

Be It Resolved That The House of Representatives, the Senate Concurring Herein, does hereby record its expression of appreciation for the invaluable services of W. A. LeCroy in behalf of, and for his leadership and significant contributions to the cause of public school education in Alabama, and further extend to him hearty best wishes for continued success and higher rewards in the field of educational endeavor.

On motion of Mr. Harvey the rules were suspended and H. J. R. 31 was adopted.

Also:

By Mr. Goodwyn:

H. J. R. 32. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Journals of the House

and Senate of this Special Session of the Alabama Legislature be bound in one and the same volume.

On motion of Mr. Goodwyn the rules were suspended and H. J. R. 32 was adopted.

BILLS ON THIRD READING

H. 164. To amend Act No. 934, H. 1268 of the Regular Session of the Legislature of 1961 (Acts 1961, p. 1506) which provides for a program of property tax equalization in any county of the state having a population not less than 300,000 nor more than 500,000 according to the last or any subsequent federal decennial census, in order to prescribe the term of service and the compensation therefor of members of the board of equalization in any such county.

Was taken up.

Mr. Murphy offered the following amendment to the bill, H. 164:

Amend HB 164 as follows:

1. On page 1, delete lines 6 and 7 and insert in lieu thereof the following

"to add a new section 6A to provide for submission of proposed changes in assessments to the Board of Equalization and to add the definition of the word property in Section 14 of the Act."

2. On page 1, line 7 of Section 1, delete the words "of property" and add the words "of all real property" after the word "equalization."

3. On page 1, line 20 of Section 1, add the following between the semicolon and the words "to provide": "to provide for periodic submission to the Board of Equalization of all proposed changes in assessments;"

4. On page 1, line 39 of Section 1, add the following between the semicolon and the words "to provide": "to define certain terms as used in the Act;"

5. Delete Section 2 and Section 3 of H. B. 164

6. Add the following to H. B. 164:

"Section 2. Act No. 934, H. 1268 of the Regular Session of 1961 is hereby amended by inserting the following after Section 5 of the Act:

Section 5A. The Tax Asessor shall submit to the Board of Equalization, upon the request of its chairman, all proposed changes in assessments, with substantiating data therefor. The Board of Equalization shall review such proposed changes in assessments and shall return all records, with dispatch, to the Tax Assessor with such comments as the Board may deem appropriate."

7. Add the following to H. B. 164

"Section 3. Section 14 of Act No. 934, H. 1268 of the Regular Session of 1961 is hereby amended to read as follows:

Section 14. Whenever used in this act the word "parcel" shall mean the land and all improvements and additions thereto. Whenever used in this act the word "property" shall mean only real property"

8. Add the following to H. B. 164

"Section 4. This Act shall become effective upon its becoming law."

And the amendment was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hearn	Pierce
Adams	Dodd	Ingram	Powell
Albea	Dunn	Johnson (Hardaway)	Pruitt
Avery	Edwards	Johnson (J. T. Tom)	Ramey
Bailey	Engel	Johnston (Leonard)	Rast
Barnett	Faulk	Jones (Covington)	Ray
Bassett	Ferguson	Jones (Monroe)	Reynolds (Chambers)
Bevill	Ford	Lee	Rogers (Macon)
Bishop	Franklin	Locke	Rogers (Mobile)
Brannan	Gilchrist	Long (Perry)	Salter
Branyon	Gilmer	McClendon (Chambers)	Sessions
Brewer	Glass	McCorquodale	Shumate
Britton	Goldthwaite	McLendon (Bullock)	Smith (Russell)
Broadfoot	Gordon	Martin	Sorrell
Brooks	Grant	Meade	Speaks
Cabiness	Gross	Merrill	Steagall
Camp	Grouby	Morrow	Sullivan
Casey	Hain	Murphy	Thomas
Cates	Hanby	Nettles	Torbert
Cook	Hankins	Nichols	Turner
Copeland	Hardy	Oakley	Turnham
Cornett	Harris	Owens	Vickers
Daniel	Harvey	Perry	

—91

And said bill, H. 164, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Bishop	Camp	Dodd
Adams	Brannan	Casey	Dunn
Albea	Branyon	Cates	Edwards
Avery	Brewer	Cook	Engel
Bailey	Britton	Copeland	Faulk
Barnett	Broadfoot	Cornett	Ford
Bassett	Brooks	Daniel	Franklin
Bevill	Cabiness	Dickson	Gilchrist

Gilmer	Ingram	Merrill	Reynolds (Chambers)
Glass	Jenkins	Morrow	Rogers (Mobile)
Goldthwaite	Johnson (Hardaway)	Murphy	Salter
Goodwyn	Johnson (J. T. Tom)	Nettles	Sessions
Gordon	Johnston (Leonard)	Nichols	Shumate
Grant	Jones (Covington)	Oakley	Smith (St. Clair)
Gross	Jones (Monroe)	Oden	Sorrell
Grouby	Lee	Owens	Speaks
Hain	Locke	Perry	Steagall
Hanby	Long (Perry)	Pierce	Sullivan
Hankins	McClendon (Chambers)	Powell	Thomas
Hardy	McCorquodale	Pruitt	Torbert
Harris	McLendon (Bullock)	Ramey	Turner
Harvey	Martin	Rast	Turnham
Hawkins	Meade	Ray	Vickers
Hearn			

—93

S. 57 POSTPONED

On motion of Mr. Perry, consideration of the bill, S. 57, was postponed until the next legislative day.

And the bill:

S. 64. Relating to the municipality of Hamilton, in Marion County, Alabama: To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Hamilton, Alabama.

Was read a third time at length and passed.

Yeas 91; Nays 1.

Yeas:

Mr. Speaker	Dodd	Jenkins	Pruitt
Albea	Dunn	Johnson (Hardaway)	Ramey
Avery	Edwards	Johnson (J. T. Tom)	Rast
Bailey	Engel	Jones (Covington)	Ray
Barnett	Faulk	Jones (Monroe)	Reynolds (Chambers)
Bassett	Ferguson	Lee	Rogers (Macon)
Bevill	Ford	Locke	Rogers (Mobile)
Bishop	Franklin	Long (Perry)	Salter
Brannan	Gilchrist	McClendon (Chambers)	Self
Branyon	Gilmer	McCorquodale	Sessions
Brewer	Glass	McLendon (Bullock)	Shumate
Britton	Goldthwaite	Martin	Smith (Russell)
Broadfoot	Gordon	Meade	Smith (St. Clair)
Brooks	Grant	Merrill	Sorrell
Cabiness	Grouby	Murphy	Speaks
Camp	Hain	Nettles	Steagall
Casey	Hanby	Nichols	Sullivan
Cates	Hankins	Oakley	Taylor
Cook	Hardy	Oden	Thomas
Copeland	Harris	Owens	Turner
Cornett	Harvey	Perry	Turnham
Daniel	Hawkins	Pierce	Vickers
Dickson	Ingram	Powell	

—91

Nay:

Mr. Gross

—1

And the bill:

S. 67. To provide for branch banking in Baldwin County; authorizing any bank located in the county to establish one or more branches, additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business at Daphne in said county.

Was read a third time at length and passed.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Dodd	Jenkins	Pierce
Adams	Dunn	Johnson (Hardaway)	Powell
Albea	Edwards	Johnson (J. T. Tom)	Pruitt
Avery	Engel	Johnston (Leonard)	Ramey
Bailey	Faulk	Jones (Covington)	Rast
Barnett	Ferguson	Jones (Monroe)	Ray
Bassett	Ford	Lee	Reynolds (Chambers)
Bevill	Franklin	Locke	Rogers (Mobile)
Bishop	Gilchrist	Long (Lauderdale)	Salter
Brannan	Gilmer	Long (Perry)	Self
Branyon	Glass	McClendon (Chambers)	Sessions
Brewer	Goldthwaite	McCorquodale	Shumate
Britton	Gordon	McLendon (Bullock)	Smith (St. Clair)
Broadfoot	Grant	Martin	Solomon
Brooks	Gross	Meade	Sorrell
Cabiness	Grouby	Merrill	Speaks
Camp	Hain	Morrow	Steagall
Casey	Hanby	Murphy	Sullivan
Cates	Hankins	Nettles	Taylor
Cook	Hardy	Nichols	Thomas
Copeland	Harris	Oakley	Torbert
Cornett	Harvey	Oden	Turner
Daniel	Hawkins	Owens	Turnham
Dickson	Ingram	Perry	Vickers

—96

And the bill:

S. 69. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 16,500 nor more than 17,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Albea	Bailey	Bassett
Adams	Avery	Barnett	Bevill

Bishop	Franklin	Jones (Monroe)	Ramey
Brannan	Gilchrist	Lee	Rast
Branyon	Gilmer	Locke	Ray
Brewer	Glass	Long (Perry)	Rogers (Macon)
Britton	Goldthwaite	McClendon (Chambers)	Rogers (Mobile)
Brooks	Goodwyn	McCorquodale	Salter
Cabiness	Gordon	McLendon (Bullock)	Self
Camp	Grant	Martin	Sessions
Casey	Gross	Meade	Shumate
Cates	Grouby	Merrill	Smith (Russell)
Cook	Hain	Morrow	Smith (St. Clair)
Copeland	Hanby	Murphy	Solomon
Cornett	Hardy	Nettles	Sorrell
Daniel	Harris	Nichols	Speaks
Dickson	Harvey	Oakley	Steagall
Dodd	Hawkins	Oden	Sullivan
Dunn	Ingram	Owens	Taylor
Edwards	Jenkins	Perry	Thomas
Engel	Johnson (Hardaway)	Pierce	Turner
Faulk	Johnson (J. T. Tom)	Powell	Turnham
Ferguson	Jones (Covington)	Pruitt	Vickers
Ford			

—93

And the bill:

S. 68. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing special assistants for sheriffs of such counties.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Dunn	Jenkins	Powell
Adams	Edwards	Johnson (Hardaway)	Pruitt
Albea	Engel	Johnson (J. T. Tom)	Ramey
Avery	Faulk	Johnston (Leonard)	Rast
Bailey	Ferguson	Jones (Covington)	Ray
Barnett	Ford	Jones (Monroe)	Reynolds (Chambers)
Bassett	Franklin	Lee	Rogers (Macon)
Bevill	Gilchrist	Locke	Rogers (Mobile)
Bishop	Gilmer	Long (Lauderdale)	Salter
Brannan	Glass	Long (Perry)	Self
Branyon	Goldthwaite	McClendon (Chambers)	Sessions
Brewer	Goodwyn	McCorquodale	Shumate
Britton	Gordon	McLendon (Bullock)	Smith (Russell)
Broadfoot	Grant	Martin	Smith (St. Clair)
Brooks	Gross	Meade	Solomon
Cabiness	Grouby	Merrill	Sorrell
Camp	Hain	Morrow	Speaks
Casey	Hanby	Murphy	Steagall
Cates	Hankins	Nettles	Sullivan
Cook	Hardy	Nichols	Taylor
Copeland	Harris	Oakley	Thomas
Cornett	Harvey	Oden	Torbert
Daniel	Hawkins	Owens	Turner
Dickson	Hearn	Perry	Turnham
Dodd	Ingram	Pierce	Vickers

—100

And the bill:

H. 181. Relating to the municipality of Weston, in Marion County, Alabama: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Weston, Marion County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Ramey
Adams	Engel	Johnson (J. T. Tom)	Rast
Albea	Faulk	Johnston (Leonard)	Ray
Avery	Ferguson	Jones (Covington)	Reynolds (Chambers)
Bailey	Ford	Jones (Monroe)	Roberts
Barnett	Franklin	Lee	Rogers (Macon)
Bassett	Gilchrist	Locke	Rogers (Mobile)
Bevill	Gilmer	Long (Perry)	Salter
Bishop	Glass	McClendon (Chambers)	Self
Brannan	Goldthwaite	McCorquodale	Sessions
Branyon	Goodwyn	McLendon (Bullock)	Shumate
Brewer	Gordon	Martin	Smith (Russell)
Britton	Grant	Meade	Smith (St. Clair)
Broadfoot	Gross	Merrill	Solomon
Brooks	Grouby	Murphy	Sorrell
Cabiness	Hain	Nettles	Speaks
Camp	Hanby	Nichols	Steagall
Casey	Hankins	Oakley	Sullivan
Cates	Hardy	Oden	Taylor
Cook	Harris	Owens	Thomas
Copeland	Harvey	Perry	Torbert
Daniel	Hawkins	Pierce	Turner
Dickson	Hearn	Powell	Turnham
Dodd	Ingram	Pruitt	Vickers
Dunn	Jenkins		

—98

And the bill:

H. 175. To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Albea	Bailey	Bassett
Adams	Avery	Barnett	Bevill

Bishop	Gilchrist	Jones (Monroe)	Ramey
Brannan	Gilmer	Lee	Rast
Branyon	Glass	Locke	Ray
Brewer	Goldthwaite	Long (Lauderdale)	Reynolds (Chambers)
Britton	Goodwyn	Long (Perry)	Roberts
Broadfoot	Gordon	McClendon (Chambers)	Rogers (Macon)
Brooks	Grant	McCorquodale	Rogers (Mobile)
Cabiness	Gross	McLendon (Bullock)	Salter
Camp	Grouby	Martin	Sessions
Casey	Hain	Meade	Shumate
Cook	Hanby	Merrill	Smith (Russell)
Copeland	Hankins	Morrow	Smith (St. Clair)
Cornett	Hardy	Murphy	Solomon
Daniel	Harris	Nettles	Sorrell
Dickson	Harvey	Nichols	Speaks
Dodd	Hawkins	Oakley	Steagall
Dunn	Hearn	Oden	Sullivan
Edwards	Ingram	Owens	Thomas
Engel	Jenkins	Perry	Torbert
Faulk	Johnson (Hardaway)	Pierce	Turner
Ferguson	Johnson (J. T. Tom)	Powell	Turnham
Ford	Johnston (Leonard)	Pruitt	Vickers
Franklin	Jones (Covington)		

—98

And the bill:

H. 176. To provide further for the purging the lists of registered voters in Chilton County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the Board of Registrars, Judge of Probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Copeland	Hain	McLendon (Bullock)
Adams	Cornett	Hanby	Martin
Albea	Daniel	Hankins	Meade
Avery	Dickson	Hardy	Merrill
Bailey	Dodd	Harris	Morrow
Barnett	Dunn	Harvey	Murphy
Bassett	Edwards	Hawkins	Nettles
Bevill	Faulk	Hearn	Nichols
Bishop	Ferguson	Ingram	Oakley
Brannan	Ford	Jenkins	Oden
Branyon	Franklin	Johnson (Hardaway)	Owens
Brewer	Gilchrist	Johnston (Leonard)	Perry
Britton	Gilmer	Jones (Covington)	Pierce
Broadfoot	Glass	Jones (Monroe)	Powell
Brooks	Goldthwaite	Lee	Pruitt
Cabiness	Goodwyn	Locke	Ramey
Camp	Gordon	Long (Lauderdale)	Rast
Casey	Grant	Long (Perry)	Ray
Cates	Gross	McClendon (Chambers)	Reynolds (Chambers)
Cook	Grouby	McCorquodale	Roberts

Rogers (Macon)	Shumate	Speaks	Torbert
Rogers (Mobile)	Smith (Russell)	Steagall	Turner
Salter	Smith (St. Clair)	Sullivan	Turnham
Self	Solomon	Taylor	Vickers
Sessions	Sorrell	Thomas	

—99

And the bill:

H. 182. Relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Dunn	Johnson (Hardaway)	Pruitt
Adams	Edwards	Johnson (J. T. Tom)	Ramey
Albea	Faulk	Johnston (Leonard)	Rast
Avery	Ford	Jones (Covington)	Ray
Bailey	Franklin	Jones (Monroe)	Roberts
Barnett	Gilchrist	Lee	Rogers (Macon)
Bassett	Gilmer	Locke	Rogers (Mobile)
Bevill	Glass	Long (Perry)	Salter
Bishop	Goldthwaite	McClendon (Chambers)	Self
Brannan	Goodwyn	McCorquodale	Sessions
Branyon	Gordon	McLendon (Bullock)	Shumate
Brewer	Grant	Martin	Smith (Russell)
Britton	Gross	Meade	Smith (St. Clair)
Broadfoot	Grouby	Merrill	Solomon
Brooks	Hain	Morrow	Sorrell
Cabiness	Hanby	Murphy	Speaks
Camp	Hankins	Nettles	Steagall
Casey	Hardy	Nichols	Sullivan
Cates	Harris	Oakley	Taylor
Cook	Harvey	Oden	Thomas
Copeland	Hawkins	Owens	Torbert
Cornett	Hearn	Perry	Turner
Daniel	Ingram	Pierce	Turnham
Dickson	Jenkins	Powell	Vickers
Dodd			

—97

And the bill:

H. 183. Relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Was taken up.

Mr. Harris offered the following substitute for the bill, H. 183:

A BILL
TO BE ENTITLED
AN ACT

Relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Fort Payne in DeKalb County are hereby altered, re-arranged and extended to include within the corporate limits of the City of Fort Payne the following described territory, in addition to that already within the corporate limits, to-wit: All land outside the previously delineated corporate limits, but inside the following described areas:

Beginning at the SE corner of Section 26, Township 7 South, Range 8 East of the Huntsville Meridian in DeKalb County, Alabama, run Northwestwardly to the NW corner of the SE $\frac{1}{4}$ of said section 26, thence run Northward to the NW corner of the SE $\frac{1}{4}$ of Section 23, Township 7 South, Range 8 East; thence run Northeastwardly to the NW corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13, Township 7 South, Range 8 East; thence run Northwestwardly to the SW corner of the SE $\frac{1}{4}$ of Section 11, Township 7 South, Range 8 East; thence run North to the NW corner of the SE $\frac{1}{4}$ of said Section 11; thence run Northeastwardly to the NE corner of said Section 11; thence run Eastwardly to the SW corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 6, Township 7 South, Range 9 East; thence run Northwardly to the NW corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 31, Township 6 South, Range 9 East; thence run Northeastwardly to the NW corner of the SE $\frac{1}{4}$ of Section 29, Township 6 South, Range 9 East; thence run Southeastwardly to the SE corner of said Section 29; thence run Eastward to the SW corner of Section 27, Township 6 South, Range 9 East; thence run Northeastwardly to the NE corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 27; thence run Southeastwardly to the SE corner of said Section 27; thence run Southwestwardly to the NE corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34, Township 6 South, Range 9 East; thence run Southeastwardly to the NE corner of the SE $\frac{1}{4}$ of Section 3, Township 7 South, Range 9 East; thence run Southwestwardly to the SW corner of the SE $\frac{1}{4}$ of Section 17, Township 7 South, Range 9 East; thence run Northwestwardly to the NE corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 17; thence run Southwestwardly to the SE corner of Section 26, Township 7 South, Range 8 East and to the point of beginning.

Section 2. The substantial provisions of this Act shall take effect only upon its approval as herein provided. It shall be the duty of the judge of probate of DeKalb County to direct and order an election to be held by the qualified electors residing within the territory hereinabove described, not later than 60 days after the date of enactment of this Act, to determine whether or not the corporate limits of the city of Fort Payne shall be extended to include the said territory. The judge of probate shall give notice of said election by one publication in a newspaper of general circulation in Fort Payne, which notice shall appear not more than 30 nor less than 10 days before the election.

The judge of probate shall appoint six electors from among the qualified resident electors of the territory proposed to be annexed to manage and supervise said election, and the names of the officials so appointed shall be listed in the notice of election as above provided. All qualified voters residing within the territory to be annexed to the city of Fort Payne by this Act shall be entitled to cast their votes at a single box, which shall be located in the city hall at Fort Payne. The persons appointed to hold the election shall tabulate the votes and certify the results to the judge of probate. The city of Fort Payne shall pay all cost and expense, including the cost of advertising, incident to the election. If a majority of the qualified electors voting in the election vote in favor of annexation, the judge of probate shall make and enter an order on the records of the probate court adjudging and decreeing the corporate limits of the city of Fort Payne to be extended

so as to embrace the territory hereinabove described. If a majority of the qualified electors voting in the election vote against annexation, then and in that event the provisions of this Act with respect to the territory hereinabove described shall have no force and effect in law. The probate judge shall certify the results of the election to the Secretary of State within 60 days after the election.

And the substitute was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Dodd	Hearn	Pierce
Adams	Dunn	Ingram	Powell
Albea	Edwards	Jenkins	Pruitt
Avery	Engel	Johnson (Hardaway)	Ramey
Bailey	Faulk	Johnson (J. T. Tom)	Rast
Barnett	Ferguson	Johnston (Leonard)	Ray
Bassett	Ford	Jones (Covington)	Roberts
Bevill	Franklin	Jones (Monroe)	Rogers (Macon)
Bishop	Gilchrist	Locke	Rogers (Mobile)
Brannan	Gilmer	Long (Perry)	Salter
Branyon	Glass	McClendon (Chambers)	Self
Brewer	Goldthwaite	McCorquodale	Sessions
Britton	Goodwyn	McLendon (Bullock)	Shumate
Broadfoot	Gordon	Martin	Smith (Russell)
Brooks	Grant	Meade	Solomon
Cabiness	Gross	Merrill	Sorrell
Camp	Grouby	Morrow	Speaks
Casey	Hain	Murphy	Steagall
Cates	Hanby	Nettles	Sullivan
Cook	Hankins	Nichols	Taylor
Copeland	Hardy	Oakley	Torbert
Cornett	Harris	Oden	Turner
Daniel	Harvey	Owens	Turnham
Dickson	Hawkins	Perry	Vickers

—96

And said bill, H. 183, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Brooks	Faulk	Hankins
Adams	Cabiness	Ferguson	Hardy
Albea	Camp	Ford	Harris
Avery	Casey	Franklin	Harvey
Bailey	Cates	Gilchrist	Hawkins
Barnett	Cook	Gilmer	Hearn
Bassett	Copeland	Glass	Ingram
Bevill	Cornett	Goodwyn	Jenkins
Bishop	Daniel	Gordon	Johnson (Hardaway)
Brannan	Dickson	Grant	Johnson (J. T. Tom)
Branyon	Dodd	Gross	Johnston (Leonard)
Brewer	Dunn	Grouby	Jones (Covington)
Britton	Edwards	Hain	Jones (Monroe)
Broadfoot	Engel	Hanby	Locke

Long (Perry)	Nichols	Ray	Sorrell
McClendon (Chambers)	Oakley	Roberts	Speaks
McCorquodale	Oden	Rogers (Macon)	Steagall
McLendon (Bullock)	Owens	Rogers (Mobile)	Sullivan
Martin	Perry	Salter	Taylor
Meade	Pierce	Self	Torbert
Merrill	Powell	Sessions	Turner
Morrow	Pruitt	Shumate	Turnham
Murphy	Ramey	Smith (Russell)	Vickers
Nettles	Rast	Solomon	

—95

S. 42 POSTPONED

On motion of Mr. Smith (Russell), consideration of the bill, S. 42, was postponed until the next legislative day.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Reynolds (Chambers) to suspend the rules in order to take up for immediate consideration the bill, S. 29, as amended, was lost.

Yeas 50; Nays 48.

Yeas:

Messrs.	Dunn	Harvey	Murphy
Avery	Engel	Ingram	Nettles
Barnett	Ford	Jenkins	Oakley
Brannan	Franklin	Johnson (Hardaway)	Powell
Branyon	Gilchrist	Johnson (J. T. Tom)	Pruitt
Britton	Gilmer	Johnston (Leonard)	Ramey
Brooks	Gordon	Jones (Covington)	Reynolds (Chambers)
Cabiness	Grant	Long (Perry)	Salter
Casey	Grouby	McClendon (Chambers)	Self
Cates	Hain	McCorquodale	Smith (St. Clair)
Daniel	Hankins	McLendon (Bullock)	Speaks
Dickson	Hardy	Martin	Turner
Dodd	Harris	Meade	

—50

Nays:

Mr. Speaker	Cornett	Locke	Rogers (Mobile)
Adams	Edwards	Long (Lauderdale)	Sessions
Albea	Faulk	Merrill	Smith (Russell)
Bailey	Ferguson	Morrow	Solomon
Bassett	Glass	Oden	Sorrell
Bevill	Goldthwaite	Owens	Steagall
Bishop	Goodwyn	Perry	Sullivan
Brewer	Gross	Pierce	Taylor
Broadfoot	Hanby	Rast	Thomas
Callahan	Hawkins	Ray	Torbert
Cook	Hearn	Roberts	Turnham
Copeland	Jones (Monroe)	Rogers (Macon)	Vickers

—48

BILLS POSTPONED

On motion of Mr. Bevill, consideration of the bill, H. 60 and pending amendment, was temporarily postponed.

Yeas 67; Nays 22.

Yeas:

Mr. Speaker	Copeland	Hanby	Oakley
Adams	Cornett	Hankins	Oden
Albea	Dickson	Hardy	Owens
Avery	Dodd	Harris	Pierce
Bailey	Edwards	Harvey	Rast
Barnett	Faulk	Hearn	Ray
Bassett	Ferguson	Ingram	Salter
Bevill	Ford	Jenkins	Smith (Russell)
Bishop	Franklin	Johnston (Leonard)	Solomon
Brannan	Gilchrist	Jones (Monroe)	Steagall
Branyon	Gilmer	Lee	Sullivan
Brewer	Goldthwaite	Long (Perry)	Thomas
Broadfoot	Goodwyn	McClendon (Chambers)	Torbert
Brooks	Gordon	McCorquodale	Turner
Camp	Gross	Merrill	Turnham
Casey	Grouby	Morrow	Vickers
Cook	Hain	Nichols	

—67

Nays:

Messrs.	Hawkins	Murphy	Roberts
Cabiness	Johnson (J. T. Tom)	Nettles	Rogers (Mobile)
Callahan	Jones (Covington)	Perry	Self
Cates	McLendon (Bullock)	Powell	Smith (St. Clair)
Daniel	Martin	Ramey	Speaks
Dunn	Meade	Reynolds (Chambers)	

—22

On motion of Mr. Roberts, consideration of the bill, H. 35, was temporarily postponed.

Yeas 71; Nays 23.

Yeas:

Mr. Speaker	Dickson	Harvey	Rogers (Macon)
Adams	Edwards	Hawkins	Rogers (Mobile)
Albea	Faulk	Ingram	Salter
Avery	Ford	Jenkins	Sessions
Bailey	Franklin	Johnson (Hardaway)	Shumate
Barnett	Gilchrist	Johnston (Leonard)	Smith (Russell)
Bassett	Gilmer	Jones (Monroe)	Smith (St. Clair)
Bevill	Goldthwaite	Lee	Solomon
Bishop	Goodwyn	Long (Lauderdale)	Sorrell
Brannan	Gordon	Long (Perry)	Steagall
Brewer	Grant	McClendon (Chambers)	Sullivan
Broadfoot	Gross	Merrill	Taylor
Brooks	Grouby	Morrow	Thomas
Camp	Hain	Nichols	Torbert
Casey	Hanby	Oden	Turner
Cook	Hankins	Pierce	Turnham
Copeland	Hardy	Rast	Vickers
Cornett	Harris	Ray	

—71

Nays:

Messrs.	Dodd	McLendon (Bullock)	Owens
Britton	Dunn	Martin	Perry
Cabiness	Ferguson	Meade	Powell
Callahan	Johnson (J. T. Tom)	Murphy	Reynolds (Chambers)
Cates	Jones (Covington)	Nettles	Self
Daniel	Locke	Oakley	Speaks

—23

On motion of Mr. Bevill, consideration of the bill, H. 61, was temporarily postponed.

On motion of Mr. Pruitt, consideration of the bill, S. 29, as amended, was temporarily postponed.

Yeas 73; Nays 22.

Yeas:

Mr. Speaker	Dodd	Hawkins	Ramey
Adams	Dunn	Hearn	Ray
Albea	Faulk	Ingram	Reynolds (Chambers)
Avery	Ford	Jenkins	Rogers (Macon)
Barnett	Franklin	Johnson (Hardaway)	Rogers (Mobile)
Bassett	Gilchrist	Jones (Monroe)	Salter
Bevill	Gilmer	Lee	Smith (Russell)
Bishop	Glass	Long (Barnes)	Smith (St. Clair)
Brannan	Goldthwaite	McCorquodale	Solomon
Branyon	Gordon	Martin	Sorrell
Brewer	Grant	Merrill	Steagall
Brooks	Gross	Nettles	Sullivan
Camp	Grouby	Nichols	Taylor
Casey	Hain	Oakley	Thomas
Cook	Hanby	Oden	Torbert
Copeland	Hankins	Owens	Turner
Cornett	Hardy	Pierce	Turnham
Daniel	Harvey	Pruitt	Vickers
Dickson			

—73

Nays:

Messrs.	Cates	Jones (Covington)	Rast
Bailey	Engel	Locke	Roberts
Britton	Ferguson	McLendon (Bullock)	Self
Broadfoot	Harris	Meade	Shumate
Cabiness	Johnson (J. T. Tom)	Perry	Speaks
Callahan	Johnston (Leonard)	Powell	

—22

On motion of Mr. Casey, consideration of the bills, S. 44 and S. 45, was temporarily postponed.

And the bill:

H. 130. To provide further for nominations by political parties of candidates for the legislature to be elected in the general election in November 1962 in the event the legislature is reapportioned; authorizing, providing for

and regulating a special primary election under certain conditions for the purpose of nominating such candidates and confirming and continuing certain nominations made in the primary elections in May 1962.

As amended, was read a third time at length and passed.

Yeas 68; Nays 28.

Yeas:

Messrs.	Dickson	Harris	Rast
Adams	Edwards	Hawkins	Reynolds (Chambers)
Albea	Engel	Ingram	Roberts
Bailey	Faulk	Johnston (Leonard)	Rogers (Macon)
Bassett	Ford	Jones (Covington)	Rogers (Mobile)
Bevill	Gilchrist	Jones (Monroe)	Salter
Bishop	Gilmer	Lee	Self
Brannan	Glass	Locke	Sessions
Branyon	Goldthwaite	Long (Lauderdale)	Smith (St. Clair)
Brewer	Goodwyn	McClendon (Chambers)	Sorrell
Britton	Gordon	Meade	Speaks
Broadfoot	Grant	Merrill	Steagall
Brooks	Gross	Morrow	Sullivan
Cabiness	Grouby	Nettles	Taylor
Casey	Hanby	Owens	Thomas
Cates	Hankins	Perry	Torbert
Copeland	Hardy	Pierce	Turner
Daniel			

—68

Nays:

Mr. Speaker	Ferguson	Long (Perry)	Ramey
Barnett	Franklin	McCorquodale	Ray
Camp	Harvey	McLendon (Bullock)	Shumate
Cook	Hearn	Martin	Smith (Russell)
Cornett	Jenkins	Murphy	Solomon
Dodd	Johnson (Hardaway)	Powell	Turnham
Dunn	Johnson (J. T. Tom)	Pruitt	Vickers

—28

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Caffey, Andrews, Eddins, Porter, Givhan and Laxson:

S. J. R. 11. WHEREAS, the members of the Legislature have been saddened by the passing of Honorable George E. Stone on Sunday, July 8, 1962 at the venerable age of 86, and

WHEREAS, George E. Stone was a native of Alabama, the son of distinguished Confederate forebears, a lawyer, a gentleman steeped in the finest traditions of the Southland and of the City of Mobile, a dedicated public official who served the citizens of Mobile County for 62 years as county treasurer with integrity and zeal, and

WHEREAS, it is fitting that the Legislature pay tribute to the life of public service and to the memory of this illustrious citizen; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That we hereby express deep regret at the passing of Honorable George E. Stone, and share in a feeling of sorrow with the surviving members of his family, the citizens of Mobile County, and the host of his friends throughout the State of Alabama on the passing of a good and great man.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Honorable George E. Stone, Jr., a distinguished former member of the House.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Engel the rules were suspended and the House concurred in and adopted the S. J. R. 11 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Turner:

S. J. R. 10. WHEREAS, Willie Vester Graham, otherwise known to his many friends in Luverne and Crenshaw County, Alabama, as "Big Nit" has recently returned from a trip to Hyannis, Massachusetts, New York City, and other points north, and

WHEREAS, Big Nit has practiced the art of shining shoes capably and efficiently in a Luverne barber shop for twenty-one years where by his agreeable and consistently good humored disposition he has made a place for himself and secured the respect and affection of both races, and

WHEREAS, the many friends of Big Nit who considered him an ambassador of good will sponsored his trip north for the purpose of exhibiting the kindly relationships which exist in the South between the races in contrast to some which have been so widely publicized, therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That we commend Big Nit for his manner of conducting himself to the end that the purpose of the trip was accomplished.

BE IT FURTHER RESOLVED, That this body hopes that Big Nit will have many pleasant memories of his trip and will continue to be a link in the good will that exists between the races of the South.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Lee the rules were suspended and the House concurred in and adopted the S. J. R. 10 set out in the above and foregoing Message from the Senate.

CONSIDERATION OF H. 59 RESUMED

H. 59. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Was again taken up.

The question was on the motion of Mr. Smith (Russell) that the House concur in the Senate substitute for the bill, H. 59.

Mr. Goodwyn offered as a substitute motion, a motion that the House non-concur in the Senate substitute for the bill, H. 59, and request a Committee of Conference, and that the Committee of Conference be instructed to act on the bill, H. 59, within two hours after the House meets on the next legislative day.

The Chair ruled the substitute motion of Mr. Goodwyn was out of order.

MOTIONS TO ADJOURN LOST

Mr. Brewer moved that the House adjourn until Wednesday, July 11, 1962, at ten o'clock A.M.

The substitute motion of Mr. Ferguson that the House adjourn until Wednesday, July 11, 1962, at twelve o'clock, noon, was lost.

Yeas 39; Nays 61.

Yeas:

Messrs.	Edwards	Hawkins	Perry
Bevill	Ferguson	Johnson (Hardaway)	Powell
Bishop	Gilmer	Johnston (Leonard)	Rast
Branyon	Goldthwaite	Jones (Covington)	Roberts
Broadfoot	Goodwyn	Locke	Sessions
Cabiness	Gordon	Long (Lauderdale)	Shumate
Callahan	Gross	McLendon (Bullock)	Smith (St. Clair)
Copeland	Grouby	Morrow	Speaks
Dodd	Hain	Murphy	Steagall
Dunn	Hardy	Nettles	Turner

—39

Nays:

Mr. Speaker	Barnett	Camp	Daniel
Adams	Bassett	Casey	Dickson
Albea	Brannan	Cates	Engel
Avery	Brewer	Cook	Faulk
Bailey	Brooks	Cornett	Ford

Franklin	Jones (Monroe)	Oden	Self
Gilchrist	Lee	Owens	Smith (Russell)
Glass	Long (Perry)	Pierce	Solomon
Grant	McClendon (Chambers)	Pruitt	Sorrell
Guthrie	McCorquodale	Ramey	Sullivan
Hanby	Martin	Ray	Taylor
Hankins	Meade	Reynolds (Chambers)	Thomas
Harvey	Merrill	Rogers (Macon)	Torbert
Ingram	Nichols	Rogers (Mobile)	Turnham
Jenkins	Oakley	Salter	Vickers
Johnson (J. T. Tom)			

—61

The question was then on the motion of Mr. Brewer that the House adjourn until Wednesday, July 11, 1962, at ten o'clock A.M., and the motion was lost.

Yeas 48; Nays 53.

Yeas:

Messrs.	Engel	Hawkins	Pierce
Bevill	Ford	Johnson (Hardaway)	Powell
Branyon	Gilchrist	Johnston (Leonard)	Rast
Brewer	Gilmer	Jones (Covington)	Roberts
Britton	Goldthwaite	Locke	Rogers (Mobile)
Broadfoot	Goodwyn	Long (Lauderdale)	Sessions
Cabiness	Gordon	McCorquodale	Shumate
Callahan	Gross	McLendon (Bullock)	Smith (St. Clair)
Cates	Grouhy	Morrow	Sneaks
Copeland	Hain	Murphy	Steagall
Dodd	Hardy	Nettles	Taylor
Dunn	Harris	Perry	Turner
Edwards			

—48

Nays:

Mr. Speaker	Dickson	Jones (Monroe)	Ray
Adams	Faulk	Lee	Reynolds (Chambers)
Albea	Ferguson	Long (Perry)	Rogers (Macon)
Avery	Franklin	McClendon (Chambers)	Salter
Bailey	Glass	Martin	Self
Barnett	Grant	Meade	Smith (Russell)
Bassett	Guthrie	Merrill	Solomon
Brannan	Hanby	Nichols	Sorrell
Brooks	Hankins	Oakley	Sullivan
Camp	Harvey	Oden	Thomas
Casey	Ingram	Owens	Torbert
Cook	Jenkins	Pruitt	Turnham
Cornett	Johnson (J. T. Tom)	Ramey	Vickers
Daniel			

—53

CONSIDERATION OF H. 59 RESUMED

H. 59. Relating to legislative reapportionment; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Was again taken up.

The question was on the motion of Mr. Smith (Russell) that the House concur in the Senate substitute for the bill, H. 59, and said motion was adopted.

Yeas 57; Nays 44.

Yeas:

Mr. Speaker	Daniel	Johnson (Hardaway)	Ray
Adams	Dickson	Johnston (Leonard)	Rogers (Macon)
Albea	Dodd	Jones (Monroe)	Salter
Avery	Faulk	Lee	Smith (Russell)
Bailey	Franklin	Long (Perry)	Smith (St. Clair)
Barnett	Glass	Martin	Solomon
Bassett	Grant	Meade	Sorrell
Bishop	Guthrie	Merrill	Steagall
Brannan	Hanby	Nichols	Sullivan
Brooks	Hankins	Oakley	Taylor
Camp	Harvey	Oden	Thomas
Casey	Hearn	Owens	Torbert
Cook	Ingram	Pruitt	Turnham
Copeland	Jenkins	Ramey	Vickers
Cornett			

—57

Nays:

Messrs.	Ford	Hawkins	Perry
Bevill	Gilchrist	Johnson (J. T. Tom)	Pierce
Branyon	Gilmer	Jones (Covington)	Powell
Brewer	Goldthwaite	Locke	Rast
Britton	Goodwyn	Long (Lauderdale)	Roberts
Broadfoot	Gordon	McClendon (Chambers)	Rogers (Mobile)
Cabiness	Gross	McCorquodale	Self
Callahan	Grouby	McLendon (Bullock)	Sessions
Cates	Hain	Morrow	Shumate
Dunn	Hardy	Murphy	Speaks
Edwards	Harris	Nettles	Turner
Engel			

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POINT OF PERSONAL PRIVILEGE

Mr. Ferguson requested as a matter of personal privilege that the Journal show that he had been called out of the House when the motion of Mr. Smith (Russell) to concur in the Senate substitute for the bill, H. 59, was adopted. He requested that the Journal show that had he been present he would have voted "nay" on the motion to concur.

BILLS ON THIRD READING RESUMED H. 60 POSTPONED

On motion of Mr. Bevill, consideration of the bill, H. 60 and pending amendment, was postponed until the next legislative day without losing its place on the Calendar.

And the bill:

H. 35. To reapportion the Legislature in accordance with Article 9, Sections 198-200, Constitution of Alabama 1901.

Was read a third time at length and lost.

Yeas 36; Nays 52.

Yeas:

Messrs.	Dodd	Gross	McLendon (Bullock)
Bailey	Ferguson	Hain	Meade
Bevill	Ford	Hardy	Powell
Bishop	Franklin	Harris	Reynolds (Chambers)
Branyon	Gilchrist	Ingram	Roberts
Brewer	Gilmer	Johnson (J. T. Tom)	Self
Boardfoot	Goldthwaite	Jones (Covington)	Shumate
Cabiness	Goodwyn	Long (Lauderdale)	Speaks
Casey	Gordon	McClendon (Chambers)	Turner
Cates			

—36

Nays:

Messrs.	Edwards	Locke	Ramey
Adams	Engel	Long (Perry)	Rast
Albea	Faulk	McCorquodale	Ray
Avery	Grant	Martin	Rogers (Mobile)
Barnett	Guthrie	Merrill	Sessions
Britton	Hanby	Morrow	Smith (Russell)
Brooks	Hankins	Murphy	Smith (St. Clair)
Camp	Harvey	Nettles	Solomon
Cook	Hawkins	Oakley	Steagall
Copeland	Jenkins	Oden	Sullivan
Cornett	Johnston (Leonard)	Perry	Thomas
Daniel	Jones (Monroe)	Pierce	Turnham
Dickson	Lee	Pruitt	Vickers
Dunn			

—52

H. 61 TEMPORARILY POSTPONED

On motion of Mr. Bevill, consideration of the bill, H. 61, was temporarily postponed.

And the bill:

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

As amended, was again taken up.

Mr. Harris offered the following substitute for the bill, S. 29, as amended:

**A BILL
TO BE ENTITLED
AN ACT**

Proposing an amendment to the Constitution of Alabama 1901, Sections 50, 197, and 203, relating to representation in the legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. It is hereby proposed that the Constitution of Alabama 1901 be amended so that Sections 50, 197, and 203 thereof will read as follows:

"Sec. 50. The legislature shall consist of not more than 106 members of the house of representatives, to be apportioned among the several counties as prescribed in this Constitution, and a senate composed of not less than one-third nor more than one-half of the whole number of representatives; provided that in addition to the above number of representatives, each new county hereafter created shall be entitled to at least one representative.

"Sec. 197. The whole number of senators shall be not less than one-third nor more than one-half of the whole number of representatives.

"Sec. 203. Until the legislature shall divide the state into senatorial districts, as provided in this article, the senatorial districts shall be as follows: First, Jefferson; second, Mobile; third, Montgomery; fourth, Madison; fifth, Tuscaloosa; sixth, Etowah; seventh, Calhoun; eighth, Talladega; ninth, Lauderdale; tenth, Morgan; eleventh, Dallas; twelfth, Walker; thirteenth, Houston; fourteenth, Lee; fifteenth, Baldwin; sixteenth, Marshall; seventeenth, Colbert; eighteenth, Russell; nineteenth, Cullman; twentieth, DeKalb; twenty-first, Chambers; twenty-second, Jackson; twenty-third, Limestone; twenty-fourth, Covington; twenty-fifth, Tallapoosa; twenty-sixth, Escambia; twenty-seventh, Shelby; twenty-eighth, Franklin and Marion; twenty-ninth, Lawrence and Winston; thirtieth, Fayette and Lamar; thirty-first, Blount and St. Clair; thirty-second, Cherokee and Cleburne; thirty-third, Clay and Randolph; thirty-fourth, Pickens and Sumter; thirty-fifth, Greene and Hale; thirty-sixth, Bibb and Perry; thirty-seventh, Elmore and Coosa; thirty-eighth, Autauga and Chilton; thirty-ninth, Macon and Bullock; fortieth, Choctaw and Marengo; forty-first, Clarke and Washington; forty-second, Monroe and Conecuh; forty-third, Lowndes and Wilcox; forty-fourth, Butler and Crenshaw; forty-fifth, Coffee and Pike; forty-sixth, Dale and Geneva; forty-seventh, Barbour and Henry."

Section 2. An election upon the proposed amendment is ordered to be held on the date of the general election next succeeding the final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

On motion of Mr. Dunn the substitute offered by Mr. Harris was laid upon the table.

Yeas 55; Nays 45.

Yeas:

Mr. Speaker
Adams

Avery
Barnett

Bassett
Britton

Brooks
Casey

Cates	Guthrie	Merrill	Self
Cook	Hankins	Nettles	Shumate
Cornett	Harvey	Oakley	Smith (Russell)
Daniel	Ingram	Oden	Smith (St. Clair)
Dickson	Jenkins	Owens	Solomon
Dodd	Jones (Monroe)	Pierce	Sorrell
Dunn	Lee	Powell	Speaks
Faulk	Long (Perry)	Pruitt	Steagall
Ford	McClendon (Chambers)	Ramey	Taylor
Glass	McCorquodale	Ray	Thomas
Grant	McLendon (Bullock)	Rogers (Macon)	Vickers
Grouby	Martin	Salter	

—55

Nays:

Messrs.	Copeland	Hardy	Murphy
Albea	Edwards	Harris	Nichols
Bailey	Engel	Hawkins	Perry
Bevill	Ferguson	Johnson (Hardaway)	Rast
Bishop	Franklin	Johnson (J. T. Tom)	Reynolds (Chambers)
Brannan	Gilchrist	Johnston (Leonard)	Roberts
Branyon	Gilmer	Jones (Covington)	Rogers (Mobile)
Brewer	Goldthwaite	Locke	Sessions
Broadfoot	Goodwyn	Long (Lauderdale)	Torbert
Cabiness	Gross	Meade	Turner
Callahan	Hain	Morrow	Turnham
Camp	Hanby		

—45

MOTION TO ADJOURN LOST

The motion of Mr. Bishop that the House adjourn until Wednesday, July 11, 1962, at ten o'clock A. M. was lost.

Yeas 38; Nays 60.

Yeas:

Messrs.	Engel	Hanby	Nichols
Albea	Ferguson	Hardy	Perry
Bishop	Ford	Hawkins	Rast
Brewer	Gilchrist	Hearn	Roberts
Britton	Goldthwaite	Johnston (Leonard)	Rogers (Macon)
Broadfoot	Goodwyn	Jones (Covington)	Rogers (Mobile)
Callahan	Gordon	Locke	Sessions
Camp	Gross	Long (Lauderdale)	Steagall
Copeland	Grouby	Morrow	Turnham
Edwards	Hain	Murphy	

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Nays:

Mr. Speaker	Branyon	Daniel	Grant
Adams	Brooks	Dickson	Guthrie
Avery	Cabiness	Dodd	Hankins
Bailey	Casey	Dunn	Harvey
Barnett	Cates	Faulk	Ingram
Bassett	Cook	Franklin	Jenkins
Bevill	Cornett	Glass	Johnson (J. T. Tom)
Brannan			

Jones (Monroe)	Nettles	Ray	Speaks
Lee	Oakley	Reynolds (Chambers)	Sullivan
Long (Perry)	Oden	Self	Taylor
McClendon (Chambers)	Owens	Shumate	Thomas
McCorquodale	Pierce	Smith (Russell)	Torbert
McLendon (Bullock)	Powell	Smith (St. Clair)	Turner
Martin	Pruitt	Solomon	Vickers
Meade	Ramey	Sorrell	

—60

CONSIDERATION OF S. 29 RESUMED

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

As amended, was again taken up.

Mr. Rast offered the following amendment to the bill, S. 29, as amended:

Amendment to S. 29 as amended

In Section 1, strike paragraphs one and two of the proposed Amendment, and insert in lieu thereof:

"1. The legislature shall consist of not more than forty-three senators and not more than 106 members of the house of representatives to be apportioned among the several districts and counties as prescribed in this Constitution; provided that in addition to the above number of representatives each new county hereafter created shall be entitled to at least one representative.

"2. At the general election in 1966 and every four years thereafter a senator shall be elected by the qualified electors of senatorial districts as follows:

"First, Lauderdale; Second, Morgan; Third, Limestone, Lawrence and Winston; Fourth, Madison, said district to be coextensive with the entire county; Fifth, Madison, said district to be coextensive with the entire county; Sixth, Jackson and Marshall; Seventh, Etowah; Eighth, Calhoun; Ninth, Talladega; Tenth, Randolph and Chambers; Eleventh, Elmore and Tallapoosa; Twelfth, Tuscaloosa, said district to be coextensive with the entire county; Thirteenth, Tuscaloosa, said district to be coextensive with the entire county; Fourteenth, Fayette and Walker; Fifteenth, Jefferson, said district to be coextensive with the entire county; Sixteenth, Jefferson, said district to be coextensive with the entire county; Seventeenth, Jefferson, said district to be coextensive with the entire county; Eighteenth, Jefferson, said district to be coextensive with the entire county; Nineteenth, Pickens and Lamar; Twentieth, Autauga, Chilton and Shelby; Twenty-first, Lowndes and Wilcox; Twenty-second, Butler, Covington and Conecuh; Twenty-third Bibb and Perry; Twenty-fourth, Clark, Choctaw and Washington; Twenty-fifth, Marengo and Sumter; Twenty-sixth, Baldwin, Escambia and Monroe; Twenty-seventh, Blount, St. Clair and Cullman; Twenty-eighth, Dale and Geneva; Twenty-ninth, Barbour and Pike; Thirtieth, Coffee and Crenshaw; Thirty-first, Bullock and Macon; Thirty-second, Lee and Russell; Thirty-third, Montgomery, said district to be coextensive with the entire county; Thirty-fourth, Montgomery, said district to be coextensive with the entire county; Thirty-fifth, Cherokee and DeKalb; Thirty-sixth, Dallas; Thirty-seventh, Colbert, Franklin and Marion; Thirty-eighth, Greene and Hale;

Thirty-ninth, Mobile, said district to be coextensive with the entire county; Fortieth, Mobile, said district to be coextensive with the entire county; Forty-first, Mobile, said district to be coextensive with the entire county; Forty-second, Coosa, Clay and Cleburne; Forty-third, Henry and Houston."

On motion of Mr. Dunn the amendment offered by Mr. Rast was laid upon the table.

Yeas 70; Nays 25.

Yeas:

Mr. Speaker	Dickson	Jenkins	Pruitt
Adams	Dodd	Johnson (J. T. Tom)	Ramey
Albea	Dunn	Johnston (Leonard)	Ray
Avery	Faulk	Jones (Covington)	Reynolds (Chambers)
Barnett	Ford	Lee	Rogers (Macon)
Bassett	Franklin	Long (Perry)	Self
Bevill	Gilchrist	McClendon (Chambers)	Shumate
Bishop	Gilmer	McLendon (Bullock)	Smith (Russell)
Brannan	Glass	Martin	Smith (St. Clair)
Branyon	Gordon	Meade	Solomon
Britton	Grant	Merrill	Sorrell
Brooks	Grouby	Nettles	Sullivan
Camp	Guthrie	Nichols	Taylor
Casey	Hankins	Oakley	Thomas
Cates	Harris	Oden	Torbert
Cook	Harvey	Owens	Turner
Cornett	Hearn	Powell	Vickers
Daniel	Ingram		

—70

Nays:

Messrs.	Edwards	Locke	Rast
Bailey	Engel	Long (Lauderdale)	Roberts
Brewer	Ferguson	Morrow	Salter
Broadfoot	Goldthwaite	Murphy	Sessions
Cabiness	Gross	Perry	Speaks
Callahan	Hanby	Pierce	Steagall
Copeland	Hawkins		

—25

Mr. Goodwyn offered the following amendment to the bill, S. 29, as amended:

Amend S. Bill 29 by adding the following at the end of Sec. one:

The compensation of Senators and representatives shall be Three Thousand (\$3,000.00) dollars per annum.

On motion of Mr. Pruitt the amendment offered by Mr. Goodwyn was laid upon the table.

Yeas 65; Nays 34.

Yeas:

Mr. Speaker	Avery	Bassett	Branyon
Adams	Barnett	Brannan	Britton

Brooks	Grant	McCorquodale	Reynolds (Chambers)
Camp	Grouby	McLendon (Bullock)	Rogers (Nacon)
Casey	Guthrie	Martin	Salter
Cates	Hankins	Meade	Self
Cook	Harvey	Merrill	Shumate
Cornett	Ingram	Nettles	Smith (Russell)
Daniel	Jenkins	Nichols	Solomon
Dickson	Johnson (Hardaway)	Oakley	Sorrell
Dodd	Johnson (J. T. Tom)	Oden	Sullivan
Dunn	Johnston (Leonard)	Owens	Taylor
Faulk	Jones (Monroe)	Powell	Thomas
Ford	Lee	Pruitt	Torbert
Gilmer	Long (Perry)	Ramey	Turnham
Glass	McClendon (Chambers)	Ray	Vickers
Gordon			

—65

Nays:

Messrs.	Copeland	Harris	Rast
Albea	Edwards	Hawkins	Roberts
Bailey	Engel	Jones (Covington)	Rogers (Mobile)
Bevill	Ferguson	Locke	Sessions
Bishop	Franklin	Long (Lauderdale)	Smith (St. Clair)
Brewer	Goldthwaite	Morrow	Speaks
Broadfoot	Goodwyn	Murphy	Steagall
Cabiness	Gross	Perry	Turner
Callahan	Hanby	Pierce	

—34

The motion of Mr. Hawkins to postpone further consideration of the bill, S. 29, as amended, until the next legislative day was lost.

Yeas 33; Nays 65.

Yeas:

Messrs.	Copeland	Harris	Pierce
Albea	Edwards	Hawkins	Rast
Bailey	Engel	Jones (Covington)	Roberts
Bishop	Ferguson	Locke	Rogers (Mobile)
Brewer	Gilchrist	Long (Lauderdale)	Sessions
Britton	Goldthwaite	Morrow	Steagall
Broadfoot	Goodwyn	Murphy	Turner
Callahan	Hanby	Perry	Turnham
Camp	Hardy		

—33

Nays:

Mr. Speaker	Cates	Gordon	Johnston (Leonard)
Adams	Cook	Grant	Jones (Monroe)
Avery	Cornett	Gross	Lee
Barnett	Daniel	Grouby	Long (Perry)
Bassett	Dickson	Guthrie	McClendon (Chambers)
Bevill	Dodd	Hankins	McCorquodale
Brannan	Dunn	Harvey	McLendon (Bullock)
Branyon	Faulk	Ingram	Martin
Brooks	Ford	Jenkins	Meade
Cabiness	Franklin	Johnson (Hardaway)	Nettles
Casey	Gilmer	Johnson (J. T. Tom)	Nichols

Oakley	Reynolds (Chambers)	Smith (Russell)	Sullivan
Oden	Rogers (Macon)	Smith (St. Clair)	Taylor
Powell	Salter	Solomon	Thomas
Pruitt	Self	Sorrell	Torbert
Ramey	Shumate	Speaks	Vickers
Ray			

—65

And the bill, S. 29, as amended, was again read at length and passed.

Yeas 69; Nays 27.

Yeas:

Mr. Speaker	Dunn	Johnston (Leonard)	Ramey
Adams	Faulk	Jones (Covington)	Ray
Avery	Ford	Jones (Monroe)	Reynolds (Chambers)
Barnett	Franklin	Lee	Rogers (Macon)
Bassett	Gilmer	Long (Perry)	Self
Bevill	Glass	McClendon (Chambers)	Shumate
Brannan	Gordon	McCorquodale	Smith (Russell)
Branyon	Grant	McLendon (Bullock)	Smith (St. Clair)
Britton	Grouby	Martin	Solomon
Brooks	Guthrie	Meade	Sorrell
Cabiness	Hankins	Nettles	Speaks
Casey	Harvey	Nichols	Sullivan
Cates	Hearn	Oakley	Taylor
Cook	Ingram	Oden	Thomas
Cornett	Jenkins	Owens	Turner
Daniel	Johnson (Hardaway)	Powell	Turnham
Dickson	Johnson (J. T. Tom)	Pruitt	Vickers
Dodd			

—66

Nays:

Messrs.	Camp	Goodwyn	Perry
Albea	Copeland	Gross	Pierce
Bailey	Edwards	Hanby	Rast
Bishop	Engel	Hawkins	Roberts
Brewer	Ferguson	Locke	Rogers (Mobile)
Broadfoot	Gilchrist	Merrill	Sessions
Callahan	Goldthwaite	Morrow	Steagall

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POINTS OF PERSONAL PRIVILEGE

Mr. Murphy requested as a matter of personal privilege that the Journal show that he was temporarily out of the House when the bill, S. 29, was up for final passage. He requested that the Journal show that had he been present he would have voted "nay" on the passage of the bill.

Mr. Salter requested as a matter of personal privilege that the Journal show that he was temporarily out of the House when the bill S. 29, was up for final passage. He requested that the Journal show that had he been present he would have voted "yea" on the passage of the bill.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 31. Expressing appreciation for the invaluable services of W. A. LeCroy in behalf of education.

Also:

H. J. R. 32. Relative to binding the Journals of the House and Senate of this Special Session.

J. E. SPEIGHT,
Secretary.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Secretary of State at 9:50 A. M. On July 10, 1962.

H. 146

Delivered to the Governor at 2:45 P. M. On July 10, 1962

H. 96

OAKLEY MELTON, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Reynolds (Chambers) the House adjourned until Wednesday, July 11, 1962, at one o'clock P.M.

FIFTEENTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, July 11, 1962

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Ralph Nichols, Pastor, First Methodist Church, Wetumpka, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards	Johnson (Hardaway)	Pruitt
Adams	Engel	Johnson (J. T. Tom)	Ramey
Albea	Faulk	Johnston (Leonard)	Rast
Avery	Ferguson	Jones (Covington)	Ray
Bailey	Ford	Jones (Monroe)	Reynolds (Chambers)
Barnett	Franklin	Lee	Roberts
Bassett	Gilchrist	Locke	Rogers (Macon)
Bevill	Gilmer	Long (Lauderdale)	Rogers (Mobile)
Bishop	Glass	Long (Perry)	Salter
Brannan	Goldthwaite	McClendon (Chambers)	Sessions
Brannon	Goodwyn	McCorquodale	Shumate
Brewer	Gordon	McLendon (Bullock)	Smith (Russell)
Britton	Grant	Martin	Smith (St. Clair)
Broadfoot	Gross	Meade	Solomon
Brooks	Grouby	Merrill	Sorrell
Cabiness	Guthrie	Morrow	Speaks
Callahan	Hain	Murphy	Steagall
Camp	Hanby	Nettles	Sullivan
Casey	Hankins	Nichols	Taylor
Cates	Hardy	Oakley	Thomas
Copeland	Harris	Oden	Torbert
Cornett	Hawkins	Owens	Turner
Daniel	Hearn	Perry	Turnham
Dickson	Ingram	Pierce	Vickers
Dunn	Jenkins	Powell	

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Jones (Monroe) leave of absence was granted to Mr. Rozelle because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourteenth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the fourteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fourteenth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has reconsidered the Bill:

H. 32. To confer upon the Alabama Public Service Commission exclusive authority and power to regulate the rates of and to supervise cer-

tain public utilities the operations of which are exempt, in whole or in part, from the provisions of the Alabama Motor Carrier Act of 1939, and which said utilities are engaged in business as common carriers of passengers for hire within counties having a population of 500,000 or more inhabitants according to the latest or any subsequent federal census.

And said Bill was again read at length and passed, the Governor's veto to the contrary notwithstanding, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 28; Nays 0.

And said Bill together with the Governor's Message, is herewith returned to the House.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 142. To validate in certain cases elections held in any county in this State, which has a population of less than fifty thousand according to the last federal decennial census, for the purpose of authorizing a special tax for public hospital purposes under the Constitution.

Also:

H. 143. To validate in certain cases elections heretofore held in counties having populations of less than fifty thousand according to the last federal decennial census or in school districts in any of such counties for the purpose of authorizing a special tax for any school purpose, or for school purposes generally, under the Constitution.

Also:

H. 144. To validate in certain cases elections heretofore held in counties having populations of less than fifty thousand according to the last federal decennial census, or in school districts or municipalities in such counties for the purpose of authorizing any special tax under the Constitution.

Also:

H. 133. Providing that in any county having a population of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census, it shall be unlawful for any person to enter, or attempt to enter, any church of which he is not a member while religious services are in progress therein after having been requested not to enter or attempt to enter said church by any member, usher, minister or preacher of said church, or to fail to leave or vacate said church of which he is not a member after such service has begun therein when requested to do so by any member, usher or preacher or minister of said church, and to provide and prescribe punishment for violation of this Act.

Also:

H. 160. To amend Act No. 283, H. 561, approved August 23, 1955, which authorizes and provides for the establishment of a fund designated as the "Solicitor's Fund" for the Solicitor of the Sixth Judicial Circuit, which is drawn upon by the Circuit Solicitor of the Sixth Judicial Circuit, and provides that the Solicitor's fees taxed in all criminal proceedings in the Circuit Court of Tuscaloosa County be paid into such Fund for such purpose (1955 Acts, Volumn 1, page 649).

Also:

H. 161. To amend the title to and Section 1 of Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956 (as heretofore amended), entitled, "An act relative to municipalities in this state having a population of not less than 23,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof," so as to make said Act applicable to municipalities having a population of not less than 8,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

Also:

H. 167. To amend Act No. 121 of the Special Session of the Legislature of Alabama of 1961, entitled "An Act To amend further Act No. 539, S. 253, approved July 23, 1931, providing for a board of education for Winston County (Local Acts of Alabama 1931, p. 257) so as to provide further for the manner of election of such board; to prescribe their term of office; and to provide for selection of a chairman of the board," approved September 15, 1961.

Also:

H. 168. To further provide for the election of a County Superintendent of Education of Winston County, Alabama, by the qualified voters

thereof; to prescribe and fix the duties, qualifications, term of office, and compensation of such Superintendent, and to provide for the filling of vacancies in said office.

Also:

H. 169. To provide for additional meetings of boards of registrars in counties having populations of not less than 46,475 nor more than 48,000 inhabitants.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 59. To fix the number of senators and representatives in the legislature, divide the state into senatorial districts, and apportion the senators and representatives among the several districts and counties.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 31. Relative to commending The Honorable W. A. LeCroy, State Superintendent of Education.

Also:

H. J. R. 32. Relative to the Journals of the House and Senate of the Special Session of 1962.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 32. To confer upon the Alabama Public Service Commission exclusive authority and power to regulate the rates of and to supervise certain public utilities the operations of which are exempt, in whole or in part, from the provisions of the Alabama Motor Carrier Act of 1939, and which said utilities are engaged in business as common carriers of passengers for hire within counties having a population of 500,000 or more inhabitants according to the latest or any subsequent federal census.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 133. Providing that in any county having a population of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census, it shall be unlawful for any person to enter, or attempt to enter, any church of which he is not a member while religious services are in progress therein after having been requested not to enter or attempt to enter said church by any member, usher, minister or preacher of said church, or to fail to leave or vacate said church of which he is not a member after such service has begun therein when requested to do so by any member, usher or preacher or minister of said church, and to provide and prescribe punishment for violation of this Act.

Also:

H. 142. To validate in certain cases elections held in any county in this State, which has a population of less than fifty thousand according to

the last federal decennial census, for the purpose of authorizing a special tax for public hospital purposes under the Constitution.

Also:

H. 143. To validate in certain cases elections heretofore held in counties having populations of less than fifty thousand according to the last federal decennial census or in school districts in any of such counties for the purpose of authorizing a special tax for any school purpose, or for school purposes generally, under the Constitution.

Also:

H. 144. To validate in certain cases elections heretofore held in counties having populations of less than fifty thousand according to the last federal decennial census, or in school districts or municipalities in such counties for the purpose of authorizing any special tax under the Constitution.

Also:

H. 160. To amend Act No. 283, H. 561, approved August 23, 1955, which authorizes and provides for the establishment of a fund designated as the "Solicitor's Fund" for the Solicitor of the Sixth Judicial Circuit, which is drawn upon by the Circuit Solicitor of the Sixth Judicial Circuit, and provides that the Solicitor's fees taxed in all criminal proceedings in the Circuit Court of Tuscaloosa County be paid into such Fund for such purpose (1955 Acts, Volume 1, page 649).

Also:

H. 161. To amend the title to and Section 1 of Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956 (as heretofore amended), entitled, "An act relative to municipalities in this state having a population of not less than 23,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any govern-

mental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof," so as to make said Act applicable to municipalities having a population of not less than 8,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

Also:

H. 167. To amend Act No. 121 of the Special Session of the Legislature of Alabama of 1961, entitled "An Act To amend further Act No. 539, S. 253, approved July 23, 1931, providing for a board of education for Winston County (Local Acts of Alabama 1931, p. 257) so as to provide further for the manner of election of such board; to prescribe their term of office; and to provide for selection of a chairman of the board," approved September 15, 1961.

Also:

H. 168. To further provide for the election of a County Superintendent of Education of Winston County, Alabama, by the qualified voters thereof; to prescribe and fix the duties, qualifications, term of office, and compensation of such Superintendent, and to provide for the filling of vacancies in said office.

Also:

H. 169. To provide for additional meetings of boards of registrars in counties having populations of not less than 46,475 nor more than 48,000 inhabitants.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 64. Relating to the municipality of Hamilton, in Marion County, Alabama: To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Hamilton, Alabama.

Also:

S. 67. To provide for branch banking in Baldwin County; authorizing any bank located in the county to establish one or more branches, additional

offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business at Daphne in said county.

Also:

S. 68. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing special assistants for sheriffs of such counties.

Also:

S. 69. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 16,500 nor more than 17,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

S. J. R. 10. Commending Willie Vester Graham, ("Big Nit"), for his manner in accomplishing the purpose of his trip north.

Also:

S. J. R. 11. Expressing regret at the passing of The Honorable George E. Stone and extending sympathy to the family.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Oden to suspend the rules in order to introduce a resolution out of order was adopted.

RESOLUTION

The following resolution was introduced:

By Mr. Oden:

H. J. R. 33. RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the bill, H. 146, proposing an amendment to the Constitution of Alabama relating to Franklin County, which has passed both Houses and has been delivered to the Secretary of State, be, and hereby is recalled for further consideration; and the Secre-

tary of State is hereby requested to return the enrolled bill to the Clerk of the House, who shall hold the same on his desk to await the orders of the House.

On motion of Mr. Oden the rules were suspended and H. J. R. 33 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Crawford:

S. 79. Relating to Perry County; providing for the election of members of the court of county commissioners, board of revenue, or other like governing body of Perry County by districts.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF PERRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Perry County; providing for the election of members of the court of county commissioners, board of revenue, or other like governing body of Perry County by districts.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. After the effective date of this Act, the several members of the court of county commissioners, board of revenue, or other like governing body of Perry County shall be nominated and elected by the qualified electors of the several commissioners districts of the county. A member shall be elected for each district, and he shall be a resident and qualified elector of the district for which he is elected. The members of the court of county commissioners, board of revenue, or other like governing body of the county shall be elected at the time, in the manner, and for the terms provided by law, except as otherwise herein provided.

Section 2. The provisions of this Act shall become effective only if approved by a majority of the electors of Perry County, voting in a referendum to be held on the date of the first county-wide primary, general, or special election held after the passage of this Act. The court of county

commissioners of Perry County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election the question shall be stated substantially as follows: "Shall the provisions of Act No. _____ of the _____ Session of the Legislature, which provides for the election of members of the court of county commissioners, board of revenue or other like governing body of Perry County by districts, be adopted? Yes () No ()." If a majority of the votes cast in the election are "Yes," the provisions of this Act shall become operative immediately. If the majority are "No," this Act shall have no effect. The probate judge of Perry County shall certify the result of the election to the Secretary of State within 30 days after the returns thereof are canvassed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. M. Wallace, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, June 21, June 28, and July 5, all in the year 1962.

J. M. WALLACE

Sworn to and subscribed before me July 5, 1962.

ELIZABETH F. STEWART,
Title Notary Public, Perry Co.

Also:

By Mr. Dumas:

S. 78. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the present special session of the Legislature of Alabama, for introduction and passage of a Bill the substance of which, as distinguished from details, is and will be the substance, as distinguished from detail of the following:

LOCAL BILL WITH NOTICE AND PROOF

A BILL TO BE ENTITLED AN ACT

Relating to the municipality of Kimberly in Jefferson County: To alter,

rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Kimberly in Jefferson County are hereby altered, rearranged, and extended to include within the corporate limits of the Town of Kimberly the following described territory situated in Jefferson County, Alabama, in addition to that already within the corporate limits, to-wit:

Part of the NE quarter of the SE quarter of Section 2, Township 15 South, Range 3 West, situated in Jefferson County, Alabama, more particularly described as follows:

Begin at the NE corner of said quarter-quarter section and run thence westerly along north line thereof for distance of 187.40 feet to a point on western line of the right-of-way of U. S. Highway 31 as same as presently laid out and constructed from point of beginning; thus continue westerly along the north line of quarter-quarter section for distance of 697.60 feet; thence turn angle of 90 degrees to left and run southwardly for a distance of 667.62 feet then turn angle of 90 degrees to left and run eastwardly for a distance of 631.81 feet to a point on the westerly line of aforementioned right-of-way of U. S. Highway 31; run thence northwardly along arc of curve which forms the westerly line of said right-of-way for a distance of 671.38 feet to point of beginning. Mineral and mining rights excepted.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 9, 16, 23, 30, 1962, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 2 day of July, 1962.

O. H. PUTMAN, JR.

Notary Public.

Notary Public, Alabama State at Large.

My Commission Expires May 29, 1965.

Also:

By Mr. Clark:

S. 75. To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last

or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 79. Local Legislation No. 1.

S. 78. Local Legislation No. 2.

S. 75. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Porter, Clark, Wilson, Crawford, Andrews, Berryman, Cooper, Eddins, Moses, Jones, Godfrey, Golson, Kendall, Leonard, Turner, Webb, Givhan, Hines and Gaither:

S. 56. Proposing to amend the Constitution of Alabama 1901 in relation to the distribution of profits derived by the state from the sale of alcoholic beverages.

Also:

By Messrs. Turner and Wyatt:

S. 55. To create the office of deputy attorney general of Alabama.

Also:

By Messrs. Cooper, Rutledge, Golson and Gaither:

S. 53. To amend Section 1 of Act No. 388, approved September 9, 1955, entitled "An Act To Fix the Compensation of Certain State Officers".

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 56. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on State Administration.

S. 55. State Administration.

S. 53. State Administration.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Dumas and Caffey:

S. 58. To provide further for nominations by political parties of candidates for election to the legislature; confirming and continuing certain nominations made in the party primary elections or party meetings in 1962; authorizing, providing for and regulating special party primary elections and mass, beat, or other party meetings under certain conditions for the purpose of nominating certain of such candidates; and placing special duties on the secretary of state.

Also:

By Mr. Jones:

S. 8. Proposing an amendment to the Constitution of Alabama relating to the mode of proposing constitutional amendments.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 58. Judiciary.

S. 8. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on State Administration.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 29. Relative to the death of Mr. David Trotter Jones.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Hawkins the House concurred in and adopted the Senate substitute for the resolution, H. J. R. 29, said Senate substitute being as follows:

SUBSTITUTE FOR: H. J. R. 29

H. J. R. 29. D. Trotter Jones was born in Talladega, Alabama, on October 31, 1894, was reared in Talladega and was engaged in the insurance field prior to assuming the post of State Adjutant for the American Legion, Department of Alabama, which post he held from 1931 until 1944, and afterwards being chosen and serving as Executive Vice President of Associated Industries of Alabama until the date of his death on July 9, 1962.

He was always interested in the youth of Alabama and played an important part in the establishment of the Alabama Boys State, which is a yearly program of training the youth of Alabama in government.

He served as chairman of the State group of the National Industrial Council, with which A.I.A. is affiliated and on many committees of the Council.

In 1951 he received the Charles Davis award bestowed by the N.I.C. for outstanding work in public relations.

He was a veteran of World War I, with overseas service.

Surviving him are his widow, Marietta and two daughters, Mrs. H. Clay Davis, of Birmingham, who has two children, and Mrs. J. Manson Murray of Mobile, who also has two children.

A close and constant observer of State and National governmental policies and the problems of labor-management relations, he has made many appearances representing business and industry before the people of this and other States.

He was a member of the Birmingham Kiwanis Club, The Club, and St. Luke's Episcopal Church. He was a trustee of St. Martin in the Pines, Episcopal Home for the Aging.

To many of the members of this Legislature, he was a close personal friend and one admired by all who knew him.

NOW THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Legislature of Alabama has heard with deep and profound sorrow of the death of D. Trotter Jones, and the two Houses, sharing in the grief, and desiring to manifest their sensibility upon the occasion of the family's bereavement, request the Clerk of the House to transmit a copy of this resolution to Mrs. Jones and to assure her and her family of the profound respect of the two Houses for the person and character of D. Trotter Jones and of their sincere condolence on his untimely passing.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Edwards	Jenkins	Ramey
Adams	Engel	Johnson (Hardaway)	Rast
Albea	Faulk	Johnson (J. T. Tom)	Ray
Avery	Ferguson	Johnston (Leonard)	Reynolds (Chambers)
Bailey	Ford	Jones (Covington)	Roberts
Barnett	Franklin	Jones (Monroe)	Rogers (Macon)
Bassett	Gilmer	Lee	Rogers (Mobile)
Bevill	Glass	Locke	Salter
Bishop	Goldthwaite	Long (Perry)	Sessions
Brannan	Goodwyn	McClendon (Chambers)	Shumate
Branyon	Gordon	McCorquodale	Smith (St. Clair)
Brewer	Grant	Martin	Solomon
Britton	Gross	Meade	Sorrell
Broadfoot	Grouby	Merrill	Speaks
Cabiness	Hain	Morrow	Steagall
Casey	Hanby	Murphy	Taylor
Cates	Hankins	Nettles	Thomas
Copeland	Hardy	Oakley	Torbert
Cornett	Harris	Oden	Turner
Daniel	Hawkins	Owens	Turnham
Dickson	Hearn	Perry	Vickers
Dunn	Ingram	Pierce	

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to wit:

H. 130. To provide further for nominations by political parties of candidates for election to the legislature; confirming and continuing certain nominations made in the party primary elections or party meetings in 1962; authorizing, providing for and regulating special party primary elections and mass, beat, or other party meetings under certain conditions for the purpose of nominating certain of such candidates; and placing special duties on the secretary of state.

VIRGIS M. ASHWORTH,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 132. Providing that in any county having a population of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census, it shall be unlawful for any person to go upon or remain upon the lands, buildings or premises of another or any

part, portion, or area thereof after having been forbidden to do so either orally or in writing by the owner, lessee, custodian, or other person in possession thereof, his agent or representative or after having been forbidden to do so by a written legible sign or signs posted on such lands, buildings or premises at a place or places where such sign or signs are visible, and to fix the punishments for a violation of this Act.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Ferguson the House concurred in and adopted the Senate amendment to the bill, H. 132, said Senate amendment being as follows:

Amendment to H. B. 132

Amend H. 132 by adding at the end of Section 2 the following: "Provided, however, the provisions of this Act shall not apply to any labor dispute or to persons engaged in lawful picketing."

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Dunn	Ingram	Ramey
Adams	Edwards	Johnson (Hardaway)	Rast
Albea	Engel	Johnson (J. T. Tom)	Ray
Avery	Faulk	Johnston (Leonard)	Reynolds (Chambers)
Bailey	Ferguson	Jones (Covington)	Roberts
Barnett	Ford	Jones (Monroe)	Rogers (Macon)
Bassett	Franklin	Lee	Rogers (Mobile)
Bevill	Gilchrist	Locke	Salter
Bishop	Gilmer	Long (Perry)	Sessions
Brannan	Glass	McClendon (Chambers)	Smith (Russell)
Branyon	Gordon	McCorquodale	Smith (St. Clair)
Brewer	Grant	McLendon (Bullock)	Solomon
Britton	Gross	Martin	Sorrell
Cabiness	Grouby	Meade	Speaks
Callahan	Guthrie	Merrill	Steagall
Camp	Hain	Morrow	Sullivan
Casey	Hanby	Nettles	Taylor
Cates	Hankins	Oakley	Thomas
Copeland	Hardy	Oden	Turner
Cornett	Harris	Owens	Turnham
Daniel	Hawkins	Perry	Vickers
Dickson	Hearn		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 134. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than

100,000 nor more than 110,000 according to the last or any subsequent federal decennial census.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Ferguson the House concurred in and adopted the Senate amendment to the bill, H. 134, said Senate amendment being as follows:

FINANCE AND TAXATION COMMITTEE AMENDMENT TO HOUSE BILL 134

Amend House Bill 134 by striking from said bill Section 2 in its entirety and inserting in lieu thereof the following:

"Section 2. Election officers who are appointed and serve under provisions of Chapter 1, Title 17, Code of Alabama 1940, as amended, shall receive additional compensation and allowances as follows: the returning officer and the inspectors and clerks shall each be entitled to an additional five dollars (\$5.00); the several claims shall be paid as preferred claims, out of moneys in the county treasury not otherwise appropriated, on proper proof of service rendered, and shall be paid from county funds only and for which there shall be no reimbursement."

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Edwards	Hawkins	Owens
Albea	Engel	Ingram	Perry
Avery	Faulk	Johnson (Hardaway)	Pierce
Bailey	Ferguson	Johnson (J. T. Tom)	Ramey
Barnett	Ford	Johnston (Leonard)	Rast
Bassett	Franklin	Jones (Covington)	Ray
Bevill	Gilchrist	Jones (Monroe)	Roberts
Brannan	Gilmer	Lee	Rogers (Macon)
Branyon	Glass	Locke	Rogers (Mobile)
Britton	Goldthwaite	Long (Perry)	Salter
Cabiness	Goodwyn	McClendon (Chambers)	Sessions
Callahan	Gordon	McCorquodale	Smith (Russell)
Camp	Grant	McLendon (Bullock)	Smith (St. Clair)
Casey	Gross	Martin	Solomon
Cates	Grouby	Meade	Sorrell
Copeland	Guthrie	Merrill	Sullivan
Cornett	Hain	Morrow	Taylor
Daniel	Hanby	Nettles	Thomas
Dickson	Hankins	Oakley	Turnham
Dunn	Harris	Oden	Vickers

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 33. Requesting the Secretary of State to return House Bill 146 to the Clerk of the House.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 106. To amend the Title and Sections 1 and 2 of Act No. 839, H. 1516, of the 1961 Legislature, approved September 8, 1961, entitled "An Act to authorize and direct the county governing body of Mobile County to pay certain sums as supplementary pension payments to certain employees of the county entitled to retirement pay from sources to which the county has contributed."

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Murphy the House concurred in and adopted the Senate substitute for the bill, H. 106, said Senate substitute being as follows:

Substitute for H. B. 106

A BILL TO BE ENTITLED AN ACT

To amend the Title and Sections 1 and 2 of Act No. 839, H. 1516, of the 1961 Legislature, approved September 8, 1961, entitled "An Act to authorize and direct the county governing body of Mobile County to pay certain sums as supplementary pension payments to certain employees of the county entitled to retirement pay from sources to which the county has contributed."

Be It Enacted by the Legislature of Alabama:

Section 1. The Title of Act No. 839, approved September 8, 1961, is amended to read as follows: "An Act to authorize and direct the county governing body of Mobile County to pay certain sums as pensions or supplementary pension payments to certain employees and former employees of Mobile County or any court or agency thereof."

Section 2. Section 1 of Act No. 839, approved September 8, 1961, is amended to read as follows:

Section 1. For the purpose of this Act the following shall apply:

(1) The term "employee" as used in this Act shall mean any person employed by the county or any court or other county agency for remuneration no matter how paid, and regardless of the status of his employment,

whether under civil service, as a day laborer, or by appointment. The term "employee" shall be interpreted broadly by the county governing body in the application of this Act.

(2) A person who shall acquire the necessary years of employment as prescribed herein, but who shall leave such employment prior to attaining the age of fifty years, shall not be entitled to benefits under this Act unless the termination of employment shall be for reason of health of the employee or a member of his immediate family or military service of the employee, the determination of his eligibility or ineligibility for such benefits to be determined by the County Commission of Mobile County.

(3) No person shall be entitled to be paid any of the benefits under the provisions of this Act prior to attaining the age of sixty-two years, except as provided in Section 3 (4) hereof.

(4) Retirement under this Act shall mean final separation from employment by the county, or any court or agency thereof, and no benefits shall be paid to retired employees who become re-employed by the county on a part or full time basis, during such re-employment.

(5) The term "court" shall include the Circuit Court of the Thirteenth Judicial Circuit.

(6) The provisions of this Act shall apply to all former employees of Mobile County, or any court or agency thereof, regardless of the date of their retirement provided the age and years of employment requirements were fulfilled by the former employee.

(7) Retirement under this Act shall not require the retiree to discontinue all gainful employment in order to be eligible to receive the benefits provided herein; provided, however, that a retiree under this Act who is or becomes ineligible to draw Social Security payments, because of income derived from such employment, shall be entitled to benefits under this Act only in such amount as he would have been entitled to receive if he were actually drawing his full Social Security benefits; and further provided that such gainful employment is restricted by the provisions of Section 1 (5) hereof.

(8) Retirement eligibility, once established, is permanent and shall not be lost by an absence and subsequent re-employment except as provided in Section 1 (5) hereof.

(9) No payment of benefits provided for in this Act shall be retroactive beyond the date of application therefor. No application may be dated prior to the effective date of this Act.

(10) In computing the amount of retirement benefits payable hereunder by the County to any particular applicant who declined to be covered by a pension plan and/or Social Security when it was optional on his part and to which the County would have contributed had the applicant exercised his right to be covered thereby the County shall deduct from the monthly amount of the supplementary pension to be paid hereunder an amount or amounts equal to the monthly benefits the applicant would have received from such other pension and/or Social Security had he chosen to be covered by the offered pension plan and/or Social Security.

(11) In computing benefits payable under this Act, payments made to a spouse of a retiree under the Social Security laws, as a result of the

employee's coverage thereunder, shall not be counted in the amount of pension payments received from a source or sources to which the County shall have contributed.

(12) In computing the benefits payable under the Act to an applicant who is also covered by the State Employees Retirement System, the computation shall be based on the maximum benefits available to said applicant under said State Employees Retirement System.

(13) Service in any branch of the military during time of war or national emergency by an employee shall be counted as though the employee were in the employment of the County during the entire period; provided, however, such military service must have interrupted said employees service in the employment of the County; and provided further, that such military service shall not have been voluntarily extended by act on the part of said employee.

Section 3. Section 2 of Act No. 839, approved September 8, 1961, is amended as follows; After the period at the end of the last sentence add the following:

"Provided, however, that an applicant who meets the years of employment and age requirements, but on whose behalf no payments were made into a retirement fund or Social Security by the County due to the non-existence of the retirement fund or Social Security System at the time of employment of the applicant, or his ineligibility for participation at the time of establishment of the retirement fund or coverage of County employees under the Social Security System, shall be entitled to benefits under this Act, and the County shall make pension or supplementary pension payments to such person to provide the maximum applicable benefits allowable under Section 3 hereof."

Section 4. Amend said Act No. 839, approved September 8, 1961, by adding thereto a new Section immediately following Section 3, in words and figures as follows:

"Section 3-A. On or after the effective date of this Act any person who claims to be entitled to benefits under the terms of this Act shall make written application therefor to the County Commission of Mobile County in the manner and form prescribed by said Commission and such County Commission shall determine the eligibility of such applicant for benefits hereunder and the amounts of said benefits if any.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective October 1, 1962.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Bevill	Broadfoot	Daniel
Adams	Bishop	Cabiness	Dickson
Albea	Brannan	Camp	Dunn
Avery	Branyon	Cates	Engel
Barnett	Brewer	Copeland	Faulk
Bassett	Britton	Cornett	Ferguson

Ford	Hawkins	Morrow	Rogers (Macon)
Gilchrist	Johnson (Hardaway)	Murphy	Rogers (Mobile)
Gilmer	Johnson (J. T. Tom)	Nettles	Sessions
Glass	Johnston (Leonard)	Nichols	Shumate
Goldthwaite	Jones (Covington)	Oakley	Smith (Russell)
Gordon	Jones (Monroe)	Oden	Smith (St. Clair)
Grant	Lee	Owens	Sorrell
Gross	Long (Perry)	Perry	Speaks
Grouby	McClendon (Chambers)	Ramey	Steagall
Hain	McCorquodale	Rast	Thomas
Hankins	Martin	Ray	Turnham
Hardy	Merrill	Roberts	Vickers
Harris			

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RESOLUTIONS

The following resolutions were introduced:

By Mr. Martin:

H. J. R. 34. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that House Bill 137 which has passed both Houses shall be designated and known as the "Wilson-Martin" Bill.

On motion of Mr. Martin the rules were suspended and H.J.R. 34 was adopted.

Also:

By Messrs. Locke, Hawkins, Thomas, Lee, Rogers (Mobile), Perry, Morrow, Edwards, Rast, Sessions, Albea and Nettles:

H. J. R. 35. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that there is hereby created a commission to be known as the Commission on Constitutional Government. The commission shall be composed of four members of the House of Representatives appointed by the Speaker thereof; four members of the Senate appointed by the President thereof; the Speaker of the House of Representatives, the President of the Senate, and the Governor, ex officio; and four citizens of the State appointed by the Governor. Members of the commission appointed by the Speaker of the House and President of the Senate shall serve during the term for which they were elected by the Legislature, and until their successors are appointed. Members of the commission appointed by the Governor shall hold office for terms concurrent with the term of the Governor, and until their successors are appointed. Any vacancy on the commission shall be filled for the unexpired term by appointment by the authority making the original appointment. The Governor shall serve as chairman of the commission, and shall designate some members of the commission to serve as vice-chairman. The vice-chairman shall preside in the absence of the chairman.

2. Members of the commission shall receive no compensation for their services, but they shall receive expenses incident to their service as members of the commission. The commission may employ such technical and other assistants as it deems necessary in carrying out its official duties. The commission may hold hearings at such times and places as it deems necessary.

3. The commission shall develop and promulgate information concerning the dual system of government, the federal and state, established under the Constitution of the United States and those of the several states. It may assemble and make available to interested persons facts concerning the relationship between the states and the United States, the powers reserved to the states respectively and the functions delegated to the central government, and the individual liberties preserved to citizens, together with the effect of integration, particularly of integration of schools and other public institutions in areas of heavy negro population on education. Further a study of the validity and propriety of "class actions" as such have been used and employed in Federal Courts to put into effect a wholesale injunction instead of the time honored limitations of treating a violation of the Fourteenth Amendment as giving rise to actions to and by named individuals, which becomes enactment of legislation. From time to time, the commission may publish such information as it deems appropriate to acquaint the general public, both in this State and elsewhere, with the nature of the relationship between the individual states and the United States and the freedoms reserved to the states and their individual citizens under the Constitution of the United States. Such publication may be by book, pamphlet, advertisement, or otherwise, as the commission deems appropriate.

4. The commission may cooperate with groups of like aims and purposes created by other states or with similar private groups in focusing the attention of the public on the individual liberties preserved to the citizens of the several states and the powers reserved to the states by the constitutions of the several states and the United States. The commission shall in appropriate manner encourage similar activities by interested sister states in order to proclaim and protect the fundamental rights and powers of each of the several states and of their individual citizens, and call to the attention of the Congress these basic fundamentals of our dual system of government with limited powers prescribed by the federal and state constitutions.

5. Upon request of the commission, all agencies of the State of Alabama shall assist the commission in the discharge of its duties.

6. All expenses of the commission shall be paid out of any funds appropriated to the Legislature, upon certificate of the chairman, not to exceed twenty-five thousand dollars (\$25,000).

The motion of Mr. Locke to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 35 was lost.

Yeas 64; Nays 20.

Yeas:

Mr. Speaker	Daniel	Hankins	McLendon (Bullock)
Adams	Dickson	Hardy	Meade
Albea	Dunn	Hawkins	Merrill
Barnett	Edwards	Jenkins	Morrow
Bassett	Ferguson	Johnson (Hardaway)	Nettles
Bevill	Ford	Jones (Covington)	Nichols
Brannan	Franklin	Jones (Monroe)	Oakley
Branyon	Gilchrist	Lee	Perry
Britton	Gilmer	Locke	Pierce
Casey	Glass	Long (Perry)	Pruitt
Cates	Grant	McClendon (Chambers)	Ramey
Cornett	Hain	McCorquodale	Rast

Ray	Salter	Sorrell	Torbert
Roberts	Sessions	Steagall	Turner
Rogers (Macon)	Smith (Russell)	Sullivan	Turnham
Rogers (Mobile)	Solomon	Thomas	Vickers

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Nays:

Messrs.	Faulk	Guthrie	Murphy
Avery	Goldthwaite	Hanby	Reynolds (Chambers)
Bailey	Goodwyn	Harris	Shumate
Broadfoot	Gross	Johnston (Leonard)	Smith (St. Clair)
Cabiness	Grouby	Long (Lauderdale)	Speaks
Copeland			

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And said resolution H. J. R. 35 was read and referred to the Standing Committee on Rules.

Also:

By Mr. Oden:

H. J. R. 36. RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the enrolled bill, H. 146, relative to Franklin County is returned to the House for further consideration, the Speaker is requested to erase his signature therefrom, and the President of the Senate is also requested to erase his signature; further, the Senate is requested to reconsider the vote by which the bill was passed and the vote by which the bill was ordered to a third reading, and thereafter amend the bill so as to provide that the election on the proposed constitutional amendment shall be held on the same date as the next general election following final adjournment of this session of the Legislature.

On motion of Mr. Oden the rules were suspended and H. J. R. 36 was adopted.

In accordance with the provisions of H. J. R. 36 the Speaker of the House erased his signature from the bill, H. 146.

Also:

By Mr. Cates:

H. J. R. 37. Whereas, the legislature has noted with a keen sense of loss the recent passing of three esteemed educators—Dr. Thomas Hewell Napier, Dean of Alabama College at Montevallo for 31 years, Professor Lorraine Peter, a member of the faculty of Alabama College for 32 years, and Professor Allie C. Anderson, a member of the Alabama College faculty for 28 years; and

Whereas, each of the above educators gave in full measure of the fruitful years of their lives to educating our youth, and represent splendid examples of that dedicated group of selfless individuals of exceptional character, ability, and high ideals who have pursued the high calling of teaching as a way of life and a labor of love; and

Whereas, each has made significant and lasting contributions to the professional advancement of education in Alabama and at the same time

has given freely of his leadership and talents to religious, civic, and business affairs of the community; and

Whereas, each has left a rich heritage in the hearts and minds of countless thousands of youth whose lives have been enriched and ennobled by reason of the lives of these benefactors; and

Whereas, the example of devoted service and vast achievements of these great teachers has added dignity and prestige to the teaching profession and has contributed immeasurably to the advancement of education and the enrichment of the social, cultural, and economic lives of all our citizens; now therefore

Be It Resolved By The Legislature of Alabama, That we hereby express the sense of appreciation felt by all of our citizens for the lives and contributions of these teachers, and we do hereby pay tribute to their achievements, and salute their memory.

Be It Further Resolved, That a copy of this resolution be mailed by the Clerk of the House to each of the following:

Mrs. Mary B. Napier, Montevallo, Alabama

Mrs. Maggie Belle Anderson, Montevallo, Alabama

Dr. Robert C. Anderson, Auburn University, Auburn, Alabama

Mrs. Alma Hinson, Attalla, Alabama

Mr. Scudder Peter, Mobile, Alabama

Mrs. Esther Hunter, Decatur, Alabama

Dr. Howard M. Phillips, Alabama College, Montevallo, Alabama

Mr. Ralph Sears, Alabama College, Montevallo, Alabama

On motion of Mr. Cates the rules were suspended and H. J. R. 37 was adopted.

Also:

By Mr. Cates:

H. J. R. 38. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ALABAMA LEGISLATURE, THE SENATE CONCURRING, That the Legislature notes with profound sorrow the death of Mr. Forbus E. Williams, an outstanding citizen, teacher, and business and civic leader of Shelby County, whose active interest and wise leadership in the field of conservation of Alabama's natural resources, especially her water and soil, have redounded to the benefit of the whole state, and particularly to the benefit of Shelby and the other counties which formerly comprised the North Central Soil Conservation District, where Mr. Williams served faithfully, ably and efficiently for many years.

BE IT FURTHER RESOLVED That sincere sympathy is hereby extended to Mr. Williams' widow and the other surviving members of his family.

The Clerk of the House of Representatives is hereby directed to transmit a duly certified copy of this resolution to Mrs. F. E. Williams, at Columbiana, Alabama and a copy thereof to Mrs. Ben Skelton, also at Columbiana.

On motion of Mr. Cates the rules were suspended and H. J. R. 38 was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 29. Relative to death of D. Trotter Jones.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 38. Relating to inferior courts in counties having a population of not less than one hundred thousand nor more than one hundred fifteen thousand inhabitants; increasing the jurisdiction of such inferior courts of such counties from \$300 to \$500 in civil cases and providing additional compensation for the judge of such courts beginning with his next term of office in January, 1963.

H. 188. Relating to counties having populations of not less than 97,000 nor more than 117,000; providing further for regulation of persons engaged in the business of selling money orders and other like instruments.

H. 193. Relating to the Office of the Circuit Solicitor of the Thirty-Third Judicial Circuit: Creating a fund for the use of certain state officers of said Circuit.

H. 197. To fix the compensation of the coroner of Madison County.

H. 198. To amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, vol. 1, p. 273), which relates to Mobile County.

H. 199. To apply only in counties having populations of not less than 20,000 nor more than 21,000; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken; prescribing penalties.

Mr. Perry, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 195. For the relief of H. E. Bryant; providing that the Board of Managers of the City of Birmingham Retirement and Relief System, established by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, page 1579, et seq.) shall have six months from the effective date of this Act in which to take action on the application of H. E. Bryant for extraordinary disability allowance.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Oden:

H. 200. Proposing an amendment to the Constitution of Alabama relative to levying property taxes for public school purposes in Franklin County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Cates:

H. 201. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 31,500 nor more than 33,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Local Legislation No. 1.

BILLS ON THIRD READING BILLS POSTPONED

On motion of Mr. Perry, consideration of the bill, S. 57, was postponed until the seventeenth legislative day.

On motion of Mr. Smith (St. Clair), consideration of the bill, S. 42, was postponed until the next legislative day.

And the bill:

S. 71. To amend the title to and Section 1 of Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956 (as heretofore amended), entitled, "An act relative to municipalities in this state having a population of not less than 23,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof," so as to make said Act applicable to municipalities having a population of not less than 8,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Cates	Goodwyn	Locke
Adams	Copeland	Gordon	McClendon (Chambers)
Albea	Cornett	Grant	McCorquodale
Avery	Daniel	Gross	Martin
Bailey	Dickson	Grouby	Meade
Barnett	Dunn	Guthrie	Merrill
Bassett	Edwards	Hanby	Morrow
Bishop	Faulk	Hankins	Nettles
Brannan	Ferguson	Hardy	Nichols
Branyon	Ford	Harris	Oakley
Brewer	Franklin	Hawkins	Oden
Britton	Gilchrist	Johnson (J. T. Tom)	Owens
Cabiness	Gilmer	Jones (Covington)	Perry
Camp	Glass	Jones (Monroe)	Pierce
Casey	Goldthwaite	Lee	Ramey

Rast	Sessions	Steagall	Torbert
Ray	Smith (Russell)	Sullivan	Turner
Reynolds (Chambers)	Smith (St. Clair)	Taylor	Turnham
Rogers (Macon)	Solomon	Thomas	Vickers
Salter	Sorrell		

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S. 72 TEMPORARILY POSTPONED

On motion of Mr. Harris, consideration of the bill, S. 72, was temporarily postponed.

And the bill:

S. 73. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 70,000 nor more than 96,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Engel	Jenkins	Owens
Adams	Faulk	Johnson (Hardaway)	Pierce
Albea	Ferguson	Johnson (J. T. Tom)	Ramey
Avery	Ford	Johnston (Leonard)	Rast
Bailey	Franklin	Jones (Covington)	Ray
Barnett	Gilchrist	Jones (Monroe)	Reynolds (Chambers)
Bassett	Gilmer	Lee	Rogers (Macon)
Bishop	Glass	Locke	Rogers (Mobile)
Brannan	Goodwyn	Long (Perry)	Salter
Branyon	Gordon	McClendon (Chambers)	Smith (Russell)
Brewer	Grant	McCorquodale	Smith (St. Clair)
Britton	Gross	McLendon (Bullock)	Solomon
Cabiness	Grouby	Martin	Sorrell
Camp	Guthrie	Meade	Steagall
Casey	Hain	Merrill	Sullivan
Cates	Hanby	Morrow	Taylor
Copeland	Hankins	Murphy	Thomas
Daniel	Hardy	Nettles	Torbert
Dickson	Hawkins	Nichols	Turner
Dunn	Hearn	Oakley	Turnham
Edwards	Ingram	Oden	Vickers

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And the bill:

S. 72. To propose an amendment to the Constitution authorizing the issuance and sale of warrants payable from the proceeds of special school taxes in DeKalb County for the purpose of refinancing any deficit created by proration of school funds prior to June 1, 1962.

Was read a third time at length and passed.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Faulk	Jenkins	Perry
Adams	Ferguson	Johnson (Hardaway)	Pierce
Albea	Ford	Johnson (J. T. Tom)	Ramey
Avery	Franklin	Johnston (Leonard)	Rast
Bailey	Gilchrist	Jones (Covington)	Ray
Barnett	Gilmer	Jones (Monroe)	Roberts
Bassett	Glass	Lee	Rogers (Macon)
Bishop	Goldthwaite	Locke	Rogers (Mobile)
Brannan	Goodwyn	Long (Perry)	Salter
Branyon	Gordon	McClendon (Chambers)	Sessions
Brewer	Grant	McCorquodale	Shumate
Britton	Gross	McLendon (Bullock)	Smith (Russell)
Broadfoot	Grouby	Martin	Solomon
Cabiness	Guthrie	Meade	Sorrell
Camp	Hain	Merrill	Steagall
Casey	Hanby	Morrow	Sullivan
Cates	Hankins	Murphy	Taylor
Copeland	Hardy	Nettles	Thomas
Daniel	Harris	Nichols	Torbert
Dickson	Hawkins	Oakley	Turner
Edwards	Hearn	Oden	Turnham
Engel	Ingram	Owens	Vickers

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And the bill:

H. 178. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 65,000 nor more than 90,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Copeland	Gross	Jones (Monroe)
Adams	Daniel	Grouby	Lee
Albea	Dunn	Guthrie	Locke
Avery	Edwards	Hain	McClendon (Chambers)
Bailey	Engel	Hanby	McCorquodale
Barnett	Faulk	Hankins	McLendon (Bullock)
Bassett	Ferguson	Hardy	Martin
Bishop	Ford	Harris	Meade
Brannan	Franklin	Hawkins	Merrill
Branyon	Gilchrist	Hearn	Morrow
Brewer	Gilmer	Ingram	Murphy
Britton	Glass	Jenkins	Nettles
Cabiness	Goldthwaite	Johnson (Hardaway)	Nichols
Camp	Goodwyn	Johnson (J. T. Tom)	Oakley
Casey	Gordon	Johnston (Leonard)	Oden
Cates	Grant	Jones (Covington)	Owens

Perry	Rogers (Macon)	Solomon	Thomas
Pierce	Rogers (Mobile)	Sorrell	Torbert
Ramey	Salter	Steagall	Turner
Rast	Sessions	Sullivan	Turnham
Ray	Shumate	Taylor	Vickers
Roberts	Smith (Russell)		

—86

And the bill:

H. 180. For the relief of John T. Lancaster, authorizing and requiring the county governing body of Tuscaloosa County, Alabama, to make an appropriation from the county treasury to compensate the said John T. Lancaster for certain damages.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Ferguson	Johnson (J. T. Tom)	Pierce
Adams	Ford	Johnston (Leonard)	Ramey
Albea	Franklin	Jones (Covington)	Rast
Avery	Gilchrist	Jones (Monroe)	Ray
Bailey	Gilmer	Lee	Roberts
Barnett	Glass	Locke	Rogers (Macon)
Bassett	Goldthwaite	Long (Lauderdale)	Rogers (Mobile)
Bishop	Goodwyn	Long (Perry)	Salter
Brannan	Gordon	McClendon (Chambers)	Sessions
Branyon	Grant	McCorquodale	Shumate
Brewer	Gross	McLendon (Bullock)	Smith (Russell)
Britton	Grouby	Martin	Smith (St. Clair)
Cabiness	Guthrie	Meade	Solomon
Camp	Hain	Merrill	Sorrell
Casey	Hanby	Morrow	Steagall
Cates	Hankins	Murphy	Sullivan
Copeland	Hardy	Nettles	Taylor
Cornett	Harris	Nichols	Thomas
Daniel	Hawkins	Oakley	Torbert
Edwards	Hearn	Oden	Turner
Engel	Ingram	Owens	Turnham
Faulk	Johnson (Hardaway)	Perry	Vickers

—88

And the bill:

H. 185. To amend Act No. 368, H. 814, Regular Session 1953 (Acts 1953, Vol. I, p. 438) relating to an automobile expense allowance for the sheriff of Greene County; giving the Act retroactive effect.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Albea	Bailey	Bassett
Adams	Avery	Barnett	Bishop

Brannan	Glass	Jones (Monroe)	Rast
Branyon	Goldthwaite	Lee	Ray
Brewer	Goodwyn	Locke	Reynolds (Chambers)
Britton	Gordon	Long (Lauderdale)	Roberts
Broadfoot	Grant	Long (Perry)	Rogers (Macon)
Cabiness	Gross	McClendon (Chambers)	Rogers (Mobile)
Camp	Grouby	McCorquodale	Salter
Casey	Guthrie	McLendon (Bullock)	Sessions
Cates	Hain	Martin	Shumate
Copeland	Hanby	Meade	Smith (Russell)
Cornett	Hankins	Merrill	Solomon
Daniel	Hardy	Morrow	Sorrell
Dunn	Harris	Murphy	Steagall
Edwards	Hawkins	Nettles	Sullivan
Engel	Hearn	Nichols	Taylor
Faulk	Ingram	Oakley	Thomas
Ferguson	Jenkins	Oden	Torbert
Ford	Johnson (Hardaway)	Owens	Turner
Franklin	Johnson (J. T. Tom)	Perry	Turnham
Gilchrist	Johnston (Leonard)	Ramey	Vickers
Gilmer	Jones (Covington)		

—90

And the bill:

H. 189. To alter and rearrange the boundaries of the City of Opp, Covington County, so as to exclude certain territory incorporated into the city by Act No. 437, Regular Session 1957.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Ferguson	Johnson (Hardaway)	Ramey
Adams	Ford	Johnson (J. T. Tom)	Rast
Albea	Franklin	Johnston (Leonard)	Ray
Avery	Gilchrist	Jones (Covington)	Reynolds (Chambers)
Bailey	Gilmer	Jones (Monroe)	Roberts
Barnett	Glass	Lee	Rogers (Macon)
Bassett	Goldthwaite	Locke	Rogers (Mobile)
Bishop	Goodwyn	Long (Perry)	Salter
Brannan	Gordon	McClendon (Chambers)	Sessions
Branyon	Grant	McCorquodale	Shumate
Britton	Gross	McLendon (Bullock)	Smith (Russell)
Cabiness	Grouby	Martin	Solomon
Camp	Guthrie	Meade	Sorrell
Casey	Hain	Merrill	Steagall
Cates	Hanby	Murphy	Sullivan
Copeland	Hankins	Nettles	Taylor
Cornett	Hardy	Nichols	Thomas
Daniel	Harris	Oakley	Torbert
Dunn	Hawkins	Oden	Turner
Edwards	Hearn	Owens	Turnham
Engel	Ingram	Perry	Vickers
Faulk	Jenkins	Pierce	

—87

And the bill:

H. 177. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

Was taken up.

Mr. Perry offered the following substitute for the bill, H. 177:

Substitute to H. B. 177.

A BILL
TO BE ENTITLED
AN ACT

Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries of the municipality of Kimberly in Jefferson County are hereby altered, rearranged, and extended to include within the corporate limits of the Town of Kimberly the following described territory situated in Jefferson County, Alabama, in addition to that already within the corporate limits, to-wit:

Part of the NE quarter of the SE quarter of Section 2, Township 15 South, Range 3 West, situated in Jefferson County, Alabama, more particularly described as follows:

Begin at the NE corner of said quarter-quarter section and run thence westerly along north line thereof for distance of 187.40 feet to a point on western line of the right-of-way of U. S. Highway 31 as same as presently laid out and constructed from point of beginning; thus continue westerly along the north line of quarter-quarter section for distance of 697.60 feet; thence turn angle of 90 degrees to left and run southwardly for a distance of 667.62 feet then turn angle of 90 degrees to left and run eastwardly for a distance of 631.81 feet thence continue to a point on the eastern line of aforementioned right-of-way of U. S. Highway 31; run thence northwardly along arc of curve which forms the easterly line of said right-of-way for a distance of 671.38 feet to intersection of southern boundary of Kimberly.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker
Adams
Albea

Avery
Bailey
Barnett

Bassett
Bevill
Bishop

Brannan
Branyon
Brewer

Britton	Gross	Long (Perry)	Reynolds (Chambers)
Broadfoot	Grouby	McClendon (Chambers)	Roberts
Cabiness	Guthrie	McCorquodale	Rogers (Macon)
Casey	Hain	McLendon (Bullock)	Rogers (Mobile)
Cates	Hanby	Martin	Salter
Copeland	Hankins	Meade	Sessions
Cornett	Hardy	Merrill	Shumate
Daniel	Harris	Morrow	Smith (Russell)
Dunn	Hawkins	Murphy	Smith (St. Clair)
Edwards	Hearn	Nettles	Solomon
Engel	Ingram	Nichols	Sorrell
Faulk	Jenkins	Oakley	Steagall
Ferguson	Johnson (Hardaway)	Oden	Sullivan
Ford	Johnson (J. T. Tom)	Owens	Taylor
Franklin	Johnston (Leonard)	Perry	Thomas
Gilchrist	Jones (Covington)	Pierce	Torbert
Gilmer	Jones (Monroe)	Ramey	Turner
Glass	Lee	Rast	Turnham
Gordon	Locke	Ray	Vickers
Grant			

—89

And said bill, H. 177, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Engel	Jenkins	Pierce
Adams	Faulk	Johnson (Hardaway)	Ramey
Albea	Ferguson	Johnson (J. T. Tom)	Rast
Avery	Ford	Johnston (Leonard)	Ray
Bailey	Franklin	Jones (Covington)	Reynolds (Chambers)
Barnett	Gilchrist	Jones (Monroe)	Roberts
Bassett	Gilmer	Lee	Rogers (Macon)
Bevill	Glass	Locke	Rogers (Mobile)
Bishop	Goldthwaite	Long (Perry)	Salter
Brannan	Goodwyn	McClendon (Chambers)	Sessions
Branyon	Gordon	McCorquodale	Shumate
Brewer	Grant	McLendon (Bullock)	Smith (Russell)
Britton	Gross	Martin	Solomon
Broadfoot	Guthrie	Meade	Steagall
Cabiness	Hain	Merrill	Sullivan
Casey	Hanby	Morrow	Taylor
Cates	Hankins	Murphy	Thomas
Copeland	Hardy	Nettles	Torbert
Cornett	Harris	Nichols	Turner
Daniel	Hawkins	Oakley	Turnham
Dunn	Hearn	Owens	Vickers
Edwards	Ingram	Perry	

—87

And the bill:

H. 186. To further amend Act No. 551 of the Legislature of Alabama of 1953, approved September 9, 1953, Acts of Alabama of 1953, page 766, et seq., as heretofore amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Engel	Johnson (Hardaway)	Ramey
Adams	Faulk	Johnson (J. T. Tom)	Rast
Albea	Ferguson	Johnston (Leonard)	Ray
Avery	Ford	Jones (Covington)	Reynolds (Chambers)
Bailey	Franklin	Jones (Monroe)	Roberts
Barnett	Gilmer	Lee	Rogers (Macon)
Bassett	Glass	Long (Perry)	Rogers (Mobile)
Bevill	Goldthwaite	McClendon (Chambers)	Salter
Bishop	Gordon	McCorquodale	Sessions
Brannan	Grant	McLendon (Bullock)	Shumate
Branyon	Gross	Martin	Smith (Russell)
Brewer	Guthrie	Meade	Solomon
Britton	Hain	Merrill	Sorrell
Cabiness	Hanby	Morrow	Steagall
Camp	Hankins	Murphy	Sullivan
Casey	Hardy	Nettles	Taylor
Cates	Harris	Nichols	Thomas
Copeland	Hawkins	Oakley	Torbert
Cornett	Hearn	Owens	Turner
Daniel	Ingram	Perry	Turnham
Edwards	Jenkins	Pierce	

—83

And the bill:

H. 187. To amend Act No. 843 of the Regular Session of the Legislature of Alabama of 1961, approved September 8, 1961.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Edwards	Jenkins	Perry
Albea	Engel	Johnson (Hardaway)	Pierce
Avery	Faulk	Johnson (J. T. Tom)	Ramey
Bailey	Ferguson	Johnston (Leonard)	Rast
Barnett	Ford	Jones (Covington)	Ray
Bassett	Franklin	Jones (Monroe)	Reynolds (Chambers)
Bevill	Gilmer	Lee	Rogers (Macon)
Bishop	Glass	Locke	Rogers (Mobile)
Brannan	Goldthwaite	Long (Lauderdale)	Salter
Branyon	Goodwyn	Long (Perry)	Sessions
Brewer	Gordon	McClendon (Chambers)	Shumate
Britton	Grant	McCorquodale	Smith (Russell)
Broadfoot	Gross	McLendon (Bullock)	Solomon
Brooks	Guthrie	Martin	Sorrell
Cabiness	Hain	Meade	Steagall
Camp	Hanby	Merrill	Sullivan
Casey	Hankins	Morrow	Taylor
Cates	Hardy	Murphy	Thomas
Copeland	Harris	Nettles	Torbert
Cornett	Hawkins	Nichols	Turner
Daniel	Hearn	Oakley	Turnham
Dickson	Ingram	Owens	Vickers
Dunn			

—89

And the bill:

H. 28. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for any county in this State which has a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Dunn	Ingram	Owens
Adams	Edwards	Jenkins	Perry
Albea	Engel	Johnson (Hardaway)	Pierce
Avery	Faulk	Johnson (J. T. Tom)	Ramey
Bailey	Ford	Johnston (Leonard)	Rast
Barnett	Franklin	Jones (Covington)	Ray
Bassett	Gilchrist	Jones (Monroe)	Reynolds (Chambers)
Bevill	Gilmer	Lee	Rogers (Macon)
Bishop	Glass	Locke	Rogers (Mobile)
Brannan	Goldthwaite	Long (Lauderdale)	Salter
Branyon	Goodwyn	Long (Perry)	Sessions
Britton	Gordon	McClendon (Chambers)	Smith (Russell)
Broadfoot	Grant	McCorquodale	Solomon
Brooks	Gross	McLendon (Bullock)	Sorrell
Cabiness	Guthrie	Martin	Steagall
Camp	Hain	Meade	Sullivan
Casey	Hanby	Merrill	Taylor
Cates	Hankins	Murphy	Thomas
Copeland	Hardy	Nettles	Torbert
Cornett	Harris	Nichols	Turner
Daniel	Hawkins	Oakley	Turnham
Dickson	Hearn		

—86

And the bill:

H. 29. To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census, from making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of passing vehicles, unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Albea	Bailey	Bassett
Adams	Avery	Barnett	Bevill

Bishop	Franklin	Jones (Covington)	Rast
Brannan	Gilmer	Jones (Monroe)	Ray
Branyon	Glass	Lee	Reynolds (Chambers)
Britton	Goldthwaite	Locke	Rogers (Macon)
Broadfoot	Goodwyn	Long (Lauderdale)	Rogers (Mobile)
Brooks	Gordon	Long (Perry)	Salter
Cabiness	Grant	McClendon (Chambers)	Sessions
Camp	Gross	McCorquodale	Shumate
Casey	Hain	Martin	Smith (Russell)
Cates	Hankins	Meade	Solomon
Copeland	Hardy	Merrill	Sorrell
Cornett	Harris	Murphy	Steagall
Daniel	Hawkins	Nettles	Sullivan
Dickson	Hearn	Nichols	Taylor
Dunn	Ingram	Oakley	Thomas
Edwards	Jenkins	Owens	Torbert
Engel	Johnson (Hardaway)	Perry	Turner
Faulk	Johnson (J. T. Tom)	Pierce	Turnham
Ford	Johnston (Leonard)	Ramey	

—83

And the bill:

H. 190. Supplement to Act No. 538 H1009 approved September 16, 1939, (Local Acts of Alabama 1939, Page 329), as amended, which establishes the Inferior Court of Geneva County; to increase the compensation of the Judge and Stenographer of said Court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Ferguson	Johnson (Hardaway)	Perry
Adams	Ford	Johnson (J. T. Tom)	Pierce
Albea	Franklin	Johnston (Leonard)	Ramey
Avery	Gilchrist	Jones (Covington)	Rast
Bailey	Gilmer	Jones (Monroe)	Ray
Barnett	Glass	Lee	Rogers (Macon)
Bassett	Goldthwaite	Locke	Rogers (Mobile)
Bishop	Goodwyn	Long (Lauderdale)	Salter
Brannan	Gordon	Long (Perry)	Sessions
Branyon	Grant	McClendon (Chambers)	Shumate
Brewer	Gross	McCorquodale	Smith (St. Clair)
Britton	Grouby	McLendon (Bullock)	Solomon
Broadfoot	Guthrie	Martin	Sorrell
Camp	Hain	Meade	Speaks
Cates	Hanby	Merrill	Steagall
Copeland	Hankins	Morrow	Sullivan
Cornett	Hardy	Murphy	Taylor
Daniel	Harris	Nettles	Thomas
Dickson	Hawkins	Nichols	Torbert
Dunn	Hearn	Oakley	Turner
Edwards	Ingram	Oden	Turnham
Engel	Jenkins	Owens	

—87

And the bill:

H. 191. To Fix the Salary of the Deputy Solicitor of Geneva County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Engel	Ingram	Perry
Adams	Faulk	Johnson (Hardaway)	Pierce
Albea	Ferguson	Johnson (J. T. Tom)	Ramey
Avery	Ford	Johnston (Leonard)	Rast
Bailey	Franklin	Jones (Covington)	Ray
Barnett	Gilchrist	Jones (Monroe)	Rogers (Macon)
Bassett	Gilmer	Lee	Rogers (Mobile)
Bishop	Glass	Locke	Salter
Brannan	Goldthwaite	Long (Lauderdale)	Sessions
Branyon	Goodwyn	Long (Perry)	Shumate
Brewer	Gordon	McClendon (Chambers)	Smith (St. Clair)
Britton	Grant	McCorquodale	Solomon
Broadfoot	Gross	McLendon (Bullock)	Sorrell
Cabiness	Grouby	Martin	Steagall
Camp	Guthrie	Meade	Sullivan
Cates	Hain	Merrill	Taylor
Copeland	Hanby	Murphy	Thomas
Cornett	Hankins	Nettles	Torbert
Daniel	Hardy	Nichols	Turner
Dickson	Harris	Oakley	Turnham
Dunn	Hawkins	Oden	Vickers
Edwards	Hearn	Owens	

—87

BILLS INDEFINITELY POSTPONED

On motion of Mr. Bevill, the bills, H. 60 and pending amendment, and H. 61, were indefinitely postponed.

RESOLUTION

The following resolution was introduced:

By Mr. Goodwyn:

H. R. 39. Whereas, this the eleventh day of July is the anniversary of the birth of one of our beloved members, the Honorable Junius J. Pierce, and

Whereas, Mr. Pierce was born and reared in Montgomery where he has successfully engaged in the real estate and insurance business, reflecting credit both upon himself and his field, and

Whereas, Mr. Pierce has meant much to his community through his interest in and contributions to civic, social and religious institutions of Montgomery and Alabama, and

Whereas, Mr. Pierce is a conscientious and able gentleman who by his engaging personality and unquestionable character has endeared himself to this body, therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA That Mr. Pierce be commended upon his birthday with every wish that he will enjoy many more in continued health, happiness and prosperity.

On motion of Mr. Goodwyn the rules were suspended and H. R. 39 was adopted.

BILLS POSTPONED

On motion of Mr. Casey, consideration of the bills, S. 44 and S. 45, was postponed until the next legislative day.

Yeas 62; Nays 20.

Yeas:

Mr. Speaker	Dickson	Hardy	Pierce
Adams	Dunn	Jenkins	Ramey
Albea	Ford	Johnson (J. T. Tom)	Ray
Bailey	Franklin	Jones (Monroe)	Reynolds (Chambers)
Barnett	Gilchrist	Lee	Rogers (Macon)
Bishop	Gilmer	Long (Lauderdale)	Sessions
Brannan	Glass	Long (Perry)	Shumate
Branyon	Goldthwaite	McClendon (Chambers)	Smith (Russell)
Broadfoot	Gordon	McCorquodale	Steagall
Callahan	Grant	McLendon (Bullock)	Sullivan
Camp	Gross	Martin	Thomas
Casey	Grouby	Merrill	Torbert
Cates	Guthrie	Nettles	Turner
Copeland	Hain	Nichols	Turnham
Cornett	Hanby	Oakley	Vickers
Daniel	Hankins		

—62

Nays:

Messrs.	Engel	Jones (Covington)	Roberts
Avery	Ferguson	Meade	Rogers (Mobile)
Brewer	Harris	Morrow	Smith (St. Clair)
Britton	Hawkins	Murphy	Solomon
Cabiness	Ingram	Perry	Speaks
Edwards			

—20

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 150. To create the office of deputy solicitor for all counties having two court houses at which any of the business of the circuit court or other court of record therein is regularly transacted from time to time and having a population of not less than 36,000 nor more than 75,000, according to the last or any subsequent federal decennial census; to fix the salary, provide for the appointment and removal, and define the powers and duties of such

deputy solicitors; and to repeal all general and local laws in conflict herewith.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Hearn the House concurred in and adopted the Senate amendment to the bill, H. 150, said Senate amendment being as follows:

Amend H. B. 150 by striking the figures 36,000 wherever they appear in the bill and insert in lieu thereof the figures 46,600.

Also further amend the bill by striking the figures 75,000 wherever they appear in the bill and insert in lieu thereof 49,050.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dunn	Jenkins	Rast
Adams	Edwards	Johnson (J. T. Tom)	Ray
Albea	Engel	Jones (Covington)	Reynolds (Chambers)
Avery	Faulk	Jones (Monroe)	Roberts
Bailey	Ferguson	Lee	Rogers (Macon)
Barnett	Ford	Locke	Rogers (Mobile)
Bassett	Franklin	Long (Perry)	Sessions
Bishop	Gilmer	McClendon (Chambers)	Shumate
Brannan	Glass	McLendon (Bullock)	Smith (Russell)
Branyon	Goldthwaite	Martin	Smith (St. Clair)
Brewer	Gordon	Meade	Solomon
Britton	Grant	Merrill	Sorrell
Broadfoot	Gross	Morrow	Speaks
Cabiness	Grouby	Murphy	Steagall
Camp	Guthrie	Nettles	Sullivan
Casey	Hain	Nichols	Taylor
Cates	Hanby	Oakley	Thomas
Copeland	Hankins	Owens	Torbert
Cornett	Hardy	Perry	Turner
Daniel	Hawkins	Pierce	Turnham
Dickson	Hearn	Ramey	Vickers

—84

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Rutledge:

S. 82. Relating to the municipality of Haleyville, Winston County, Alabama: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Haleyville, Winston County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to the municipality of Haleyville, Winston County, Alabama:

To alter, rearrange, and extend the boundaries and corporate limits of the Town of Haleyville, Winston County, Alabama.

Be it enacted by the Legislature of Alabama,

Section 1. The boundaries of the municipality of Haleyville, in Winston County, Alabama are hereby altered, rearranged, and extended to include within the corporate limits within the Town of Haleyville, Alabama, the following described territory, situated in Winston County, Alabama, to-wit:

The Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and 5 acres in a square in the Northeast corner of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, all in Section 32, T9S, R10W, Winston County, Alabama, more fully described as follows, To Wit: Begin at a point on the present boundary of the City of Haleyville, Alabama, said point being the Northwest corner of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 32; thence North 87 degrees East along the North line of the South $\frac{1}{2}$ of said Section 32, and along the South boundary of the City of Haleyville, Alabama, and said line extended, 2640 feet to the Northeast corner of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 32; thence South 6 degrees East along the East line of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 32, 1330 feet to the Northwest corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 32; thence North 87 degrees East along the North line of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 32, 1320 feet to the Northeast corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 32; thence South 6 degrees East along the East line of said Section 32, 1330 feet to the Southeast corner of said Section 32; thence South 87 degrees West along the South line of said Section 32, 1320 feet to the Southwest corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 32; thence North 6 degrees West along the West line of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 32, 864 feet; thence South 87 degrees West 466 feet; thence North 6 degrees West 466 feet to the South line of the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of said Section 32; thence South 87 degrees West along the South line of the Northwest $\frac{1}{4}$ of Southeast $\frac{1}{4}$, and the South line of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 32, 2174 feet to the Southwest corner of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 32, said point being on the present East boundary of the City of Haleyville, Alabama; thence North 6 degrees West along the of the Northeast $\frac{1}{4}$ of the West line Southwest $\frac{1}{4}$ of said Section 32, and along the present East boundary of the City of Haleyville, 1330 feet to the point of beginning, containing 125.9 acres.

A parcel of land 400 feet in width, lying 200 feet each side of the center line of Ward Bridge Road as said Road now exists, and running from the present South boundary of the City of Haleyville, Alabama, where said boundary crosses the Ward Bridge Road, in a Southeastwardly direction to the South line of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 5, T10S, R10W, and more fully described as follows; To Wit:

Begin at a point in the center of Ward Bridge Road where the South line of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 32, T9S, R10W,

crosses said Road; thence South 9 degrees 15 mins. East along the center of said road 159.45 feet to the point of curvature of a curve to the left having a radius of 175 feet; thence in a Southeastwardly direction along said curve and the center of said road 231.2 feet to the point of tangent of said curve; thence South 88 degrees 49 mins. East along the center of said road 109.13 feet to the point of curvature of a curve to the right, having a radius of 250 feet; thence in a Southeastwardly direction along said curve and the center of said road 98.7 feet to the point of tangent of said curve; thence South 66 degrees 03 mins. East along the center of said road 263.62 feet to the point of curvature of a curve to the right having a radius of 400 feet; thence in a Southeastwardly direction along said curve and along the center of said road 185.85 feet to the point of tangent of said curve; thence South 39 degrees 17 mins. East along the center of said road 334.96 feet; thence South 47 degrees 27 mins. East along the center of said road 371.35 feet to the point of curvature of a curve to the left having a radius of 600 feet; thence in a Southeastwardly direction along said curve and said center of said road 180.43 feet to the point of tangent of said curve; thence South 64 degrees 43 mins. East along the center of said road 673.9 feet to the point of curvature of a curve to the right having a radius of 500 feet; thence in a Southeastwardly direction along said curve and the center of said road 328.74 feet to the point of tangent of said curve; thence South 26 degrees 57 mins. East along the center of said road 466.31 feet; thence South 28 degrees 53 mins. East along the center of said road 278.2 feet; thence South 34 degrees 08 mins East along the center of said road 210.45 feet to the South line of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 5, T10S, R10W. Said tract lying in the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 32, T9S, R10W, and in the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 5, T0S, R10W, and in the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 5, T10S, R10W, and containing 35.75 acres.

Section 2. This Act shall become affective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said County and State, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Daily Northwest Alabamian, a newspaper of general circulation published daily in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four (4) consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 8th day of June 1962, and the last copy of said publication appearing in the said paper on the 26th day of June 1962.

JAY THORNTON.

Sworn and subscribed to before me this 3rd day of July 1962.

R. J. THORNTON,
NOTARY PUBLIC.

Also:

By Mr. Gaither:

S. 76. To authorize and direct the Alabama Education Authority to allocate and distribute certain funds to the county board of education of

Coosa County for the purpose of erecting additional classrooms for negro schools, upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 82. Local Legislation No. 1.

S. 76. State Administration.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Cornett to suspend the rules in order to introduce a resolution out of order was adopted.

RESOLUTION

The following resolution was introduced.

By Messrs. Cornett, Ashworth, McLendon (Bullock), Goodwyn, Thomas, Bailey, Goldthwaite, Pierce, Dunn, Adams, Callahan, Branyon, Jenkins, Ferguson, Speaks, Grouby, Cabiness, Merrill, Gilchrist, Ramey, Martin, Edwards, Bishop, Long (Lauderdale), Sessions, Ray, Pruitt, Murphy, Ford, Grant, Glass, Brannan, Owens, Daniel, Hawkins, Taylor, Dickson, Lee, Hardy, Salter, Oakley, Solomon, Gilmer, Jones (Monroe), Nettles, Sorrell, Britton, Jones (Covington), Johnston (Leonard), Casey, Engel, Hankins, Broadfoot, Sullivan, Gordon, Turner, Copeland, Hanby, Roberts, Vickers, McClendon (Chambers), Nichols, Brewer, Meade, Reynolds (Chambers), Albea, Hain, Steagall, Torbert, Turnham, Rogers (Macon), Ingram, Franklin, Johnson (Hardaway), Harris, Johnson (J. T. Tom), Hearn, Long (Perry), Barnett, Cates, Oden, Rast, Morrow, Locke, Perry, Shumate, Camp, Rogers (Mobile), Faulk, Smith (Russell), Smith (St. Clair), Guthrie, McCorquodale, Bassett, Chambers, Powell, Avery, Beville, Reynolds (Madison), Harvey, Dodd, Cook and Gross:

H. R. 40. Be It Resolved By The House of Representatives that this body notes with regret Oakley Melton's announcement that he will not be a candidate for re-election as Clerk of this House. Oakley has not only handled the official functions and duties of his office in an able manner but he has also endeared himself to us all by his integrity, sincerity, amiability, diplomacy and tact.

Be It Further Resolved that as a body and individually the members of the House hereby commend you, Oakley, for the splendid manner in which you have filled the position of Clerk of the House; and, though we are sincerely appreciative of your many good services and reluctant to lose them, we confidently hope that you will find both financial rewards and personal satisfaction in your law practice.

On motion of Mr. Cornett the rules were suspended and H. R. 40 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 173. To provide that the laws governing the County wide Civil Service System of Mobile County, Alabama shall apply to the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, in the office of the Clerk of the Circuit Court of Mobile County, Alabama, and to provide for the person holding the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, to be placed on the employment roster of the Civil Service System of Mobile County and to be placed in the proper class and salary level.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Hines (By Request):

S. J. R. 12. BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING: That the Legislative Council is hereby requested to investigate and make a survey of the rates and charges of newspapers for legal and political advertisements, such investigation to include a comparison of such rates and charges with the rates and charges on other types of advertising, and to report its findings in this matter, along with its recommendations for regulatory legislation in this field if such is needed or desirable, to the Legislature at its regular session in 1963.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Rogers (Mobile) the rules were suspended and the House concurred in and adopted the S. J. R. 12 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 159. To provide for the compensation and expense allowance of members of the county board of education in all counties having popula-

tions of not less than 46,600 nor more than 49,050 according to the 1960 or any subsequent federal decennial census; providing for further compensation for certain other services performed for the school system in any county to which this Act applies in addition to services and duties ordinarily and customarily rendered by board members in such counties; providing for reimbursements for reasonable expenses incurred in performance of such extraordinary services; providing for the time that such increase in compensation shall become effective; and providing penalties for violation of the terms of this Act.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 34. Naming House Bill 137 "Wilson-Martin" Bill.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Givhan:

S. 84. To make a conditional appropriation to the State Fair Authority to aid in the construction of a livestock exhibit building.

Also:

By Mr. Robison:

S. 74. To provide for the study of ways and means of solving problems of mental health and mental retardation, creating a legislative committee for that purpose.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 84. State Administration

S. 74. State Administration

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 132. Providing that in any county having a population of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census, it shall be unlawful for any person to go upon or remain upon the lands, buildings or premises of another or any part, portion, or area thereof after having been forbidden to do so either orally or in writing by the owner, lessee, custodian, or other person in possession thereof, his agent or representative or after having been forbidden to do so by a written legible sign or signs posted on such lands, buildings or premises at a place or places where such sign or signs are visible, and to fix the punishments for a violation of this Act.

Also:

H. 134. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 100,000 nor more than 110,000 according to the last or any subsequent federal decennial census.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 36. Relative to amending the enrolled bill, H. 146.

J. E. SPEIGHT,
Secretary.

MOTION TO ADJOURN ADOPTED

The motion of Mr. Pruitt that when the House adjourns today it adjourns to meet again Thursday, July 12, 1962, at eleven o'clock A.M. was adopted.

BILLS ON SECOND READING CONTINUED

Mr. Pruitt, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 20. (With Amendment). To amend Act No. 126, H. 15, of the Second Special Session of the Legislature of 1959 (Acts of Alabama 1959, page 369), which created the Alabama Education Authority and authorized it to issue and sell bonds for the purpose of providing funds for the construction, reconstruction, improvement, alteration and equipment of public school and college buildings and for acquiring sites therefor, so as to authorize such authority to allocate and pay a portion of the funds so raised to Northwest Alabama Junior College, an institution of higher learning, established pursuant to Act No. 888, H. 1113 of the Regular Session of 1961.

Mr. Pruitt, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 162. (With Substitute). To authorize and direct the Alabama Education Authority to allocate and distribute a part of the earnings or income from the investment of that part of the proceeds of bonds, issued by said Authority under Act No. 126, H. 15, Second Special Session 1959 (Acts 1959, p. 369), not currently needed for the purpose for which such bonds were issued, to the board of trustees of the junior college located in Franklin County; to the county board of education of Tallapoosa County; and to the Alabama Industrial School for Negro Children; and to provide for the use of such money for school building purposes at each of the above named schools upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959 Second Special Session, p. 369.

Mr. Pruitt, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 36. To amend Act No. 652, H. 88, Regular Session 1961, entitled "An Act to exclude certain municipal privilege licenses from gross sales, or gross receipts, in the computation of State Sales Taxes (Act No. 100, H. 94, approved August 18, 1959, Acts 1959, vol. 1, p. 298)".

Mr. Pruitt, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 37. (With Amendment). To provide for collection and enforcement by the state department of revenue of sales and use taxes levied or assessed by any city or town.

Mr. Pruitt, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 184. To authorize and direct the Alabama Education Authority to allocate and distribute a part of the earnings or income from the investment of that part of the proceeds of bonds, issued by said Authority under Act No. 126, H. 15, Second Special Session 1959 (Acts 1959, p. 369), not currently needed for the purpose for which such bonds were issued, to the Alabama Institute for Deaf and Blind; and to provide for the use of such money for school building purposes upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959, Second Special Session, p. 369.

Mr. Pruitt, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 43. (With Amendment). To amend Section 21 of Title 30, Code of Alabama 1940, providing for qualifications of persons on jury rolls.

Mr. Pruitt, Chairman of the Standing Committee on State Administration reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 51. Relating to taxation; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

H. 55. To provide that all human blood used or proposed to be used for blood transfusions shall be labeled according to the race of the donor; to provide that no human blood not labeled in accordance with the provisions of this Act shall be used for blood transfusions in this State; to provide that any person about to receive a blood transfusion or a parent or the next of kin of said person shall be informed of the race of the donor of the blood, if blood from a person of a different race is to be used; to provide that a doctor may proceed with a transfusion without compliance with the provisions of this Act if an emergency exists; to provide that emergency and disaster areas are exempt from the provisions of this Act if the emergency has been declared by the Governor, or a federal agency or other agency or authority having the authority to declare an emergency; to provide a penalty for the violation of the provisions of this Act; and for other purposes.

H. 125. To amend Sections 2 and 14, Act No. 913, H. 1319, Regular Session 1961 (Acts 1961, p. 1464) which Act authorizes the levy of special county privilege license and excise taxes for educational purposes when approved at a referendum election, in all counties having a population of 45,000 or less inhabitants.

H. 135. To appropriate from any funds in the State Treasury to the credit of the General Fund not otherwise appropriated, for the fiscal year ending September 30, 1962, the sum of \$175,000.00 for the purpose of con-

structing and equipping a recreational building at Gulf State Park and to further provide for such construction.

H. 139. To amend Code of Alabama 1940, Title 13, Section 33, which relates to supernumerary justices of the Supreme Court of Alabama.

Mr. Pruitt, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 9. (With Amendment). To amend Sections 1, 2, and 3 of Act No. 530, Acts of Alabama Regular Session 1949, Page 835, "Relating to public health; to regulate through licensure hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act", so as to include domiciliary institutions, homes for the aged, intermediate institutions, and related institutions.

Mr. Pruitt, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 10. To appropriate to the State Department of Public Health for the fiscal year ending September 30th, 1963, the additional sum of seven thousand five hundred dollars (\$7,500) for administering expanded licensure responsibilities pursuant to Senate Bill 9.

H. 87. To amend Section 41 of Title 50 of the Code of Alabama of 1940 so as to authorize an improvement authority organized under the provisions of Chapter 3 of Title 50 of said Code to issue refunding bonds and bonds for the combined purpose of refunding bonds theretofore issued and of paying the costs of constructing and acquiring any enterprise which it is permitted to own and operate or any improvement or addition thereto.

H. 154. To make it unlawful for any person to go upon or remain upon the lands, buildings or premises of another or any part, portion or area thereof after having been forbidden to do so either orally or in writing by the owner, lessee, custodian or other person in possession thereof, his agent or representative or after having been forbidden to do so by a written legible sign or signs posted on such lands, buildings or premises at a place or places where such sign or signs are visible, and to fix the punishment for a violation of this Act.

Mr. Pruitt, Chairman of the Standing Committee on State Administration, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendments, and they were severally read a second time and placed on the Calendar, to-wit:

H. 155. (With Amendment). Providing and to provide that it shall be unlawful for any person to enter, or attempt to enter, any church of which he is not a member while religious services are in progress therein after having been requested not to enter or attempt to enter said church by any member, usher or minister or preacher of said church, or to fail to leave or vacate said church of which he is not a member after such service has begun therein when requested to do so by any member, usher

or preacher or minister of said church and to provide and prescribe punishments for violation of this Act and providing for repeal of conflicting laws and providing for the effective date of this Act.

H. 163. (With Amendment). To amend the revenue law; redefining certain terms used in administering state sales and use tax statutes; repealing Section 1 (1) (i), Act 100, H. 94, Second Special Session 1959, and Section 787 (d), Title 51, Code 1940 as amended.

Mr. Pruitt, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 172. To amend Act No. 44, H. 53, of the Special Session of the Legislature of 1961 (Acts 1961, p. 1897), entitled "An Act to provide for a license tax on and the assessment and collection of ad valorem taxes on house trailers."

H. 179. Relating to county officers and offices; prescribing the times when county offices shall be open or may be closed; superseding and repealing Act No. 74, H. 12, Regular Session 1945.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:20 P.M. On July 11, 1962

H. 59

H. J. R. 31

H. J. R. 32

H. 133

H. 142

H. 143

H. 144

H. 160

H. 161

H. 167

H. 168

H. 169

H. J. R. 29

Delivered to the Governor at 3:15 P.M. On July 11, 1962

H. 132

H. 134

Delivered to the Secretary of State at 2:30 P.M. On July 11, 1962

H. 32

OAKLEY MELTON, JR.,
Clerk.

ADJOURNMENT

The House, in accordance with the motion of Mr. Pruitt heretofore adopted, adjourned until Thursday, July 12, 1962, at eleven o'clock A.M.

SIXTEENTH DAY

House of Representatives
Montgomery, Alabama
Thursday, July 12, 1962

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Arch L. McNair, Minister, Memorial Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Bassett	Britton	Casey
Adams	Bevill	Broadfoot	Cates
Albea	Bishop	Brooks	Chambers
Avery	Brannan	Cabiness	Cook
Bailey	Branyon	Callahan	Copeland
Barnett	Brewer	Camp	Cornett

Daniel	Hain	McCorquodale	Roberts
Dickson	Hanby	McLendon (Bullock)	Rogers (Macen)
Dodd	Hankins	Martin	Rogers (Mobile)
Dunn	Hardy	Meade	Salter
Edwards	Harris	Merrill	Sessions
Engel	Harvey	Morrow	Shumate
Faulk	Hawkins	Murphy	Smith (Russell)
Ferguson	Hearn	Nettles	Smith (St. Clair)
Ford	Ingram	Nichols	Solomon
Franklin	Jenkins	Oakley	Sorrell
Gilchrist	Johnson (Hardaway)	Oden	Speaks
Gilmer	Johnson (J. T. Tom)	Owens	Steagall
Glass	Johnston (Leonard)	Perry	Sullivan
Goldthwaite	Jones (Covington)	Pierce	Taylor
Goodwyn	Jones (Monroe)	Powell	Thomas
Gordon	Lee	Pruitt	Torbert
Grant	Locke	Ramey	Turner
Gross	Long (Lauderdale)	Rast	Turnham
Grouby	Long (Perry)	Ray	Vickers
Guthrie	McClendon (Chambers)	Reynolds (Chambers)	

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Jones (Monroe) leave of absence was granted to Mr. Rozelle because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Fifteenth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the Fifteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Fifteenth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. J. R. 34. Relative to naming House Bill 137.

Also:

H. 159. To provide for the compensation and expense allowance of members of the county board of education in all counties having populations

of not less than 46,600 nor more than 49,050 according to the 1960 or any subsequent federal decennial census; providing for further compensation for certain other services performed for the school system in any county to which this Act applies in addition to services and duties ordinarily and customarily rendered by board members in such counties; providing for reimbursements for reasonable expenses incurred in performance of such extraordinary services; providing for the time that such increase in compensation shall become effective; and providing penalties for violation of the terms of this Act.

Also:

H. 173. To provide that the laws governing the County wide Civil Service System of Mobile County, Alabama shall apply to the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, in the office of the Clerk of the Circuit Court of Mobile County, Alabama, and to provide for the person holding the position of Clerk of the Criminal Division of the Circuit Court to be known as Chief Assistant to the Clerk of said Court, unclassified, to be placed on the employment roster of the Civil Service System of Mobile County and to be placed in the proper class and salary level.

Also:

H. 106. To amend the Title and Sections 1 and 2 of Act No. 839, H. 1516, of the 1961 Legislature, approved September 8, 1961, entitled "An Act to authorize and direct the county governing body of Mobile County to pay certain sums as supplementary pension payments to certain employees of the county entitled to retirement pay from sources to which the county has contributed."

Also:

H. 150. To create the office of deputy solicitor for all counties having two court houses at which any of the business of the circuit court or other court of record therein is regularly transacted from time to time and having a population of not less than 46,600 nor more than 49,050, according to the last or any subsequent federal decennial census; to fix the salary, provide for the appointment and removal, and define the powers and duties of such deputy solicitors; and to repeal all general and local laws in conflict herewith.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Ashworth, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and

ordered same returned to the House with the recommendation that it be adopted.

By Messrs. Locke, Hawkins, Thomas, Lee, Rogers (Mobile), Perry, Morrow, Edwards, Rast, Sessions, Albea and Nettles:

H. J. R. 35. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that there is hereby created a commission to be known as the Commission on Constitutional Government. The commission shall be composed of four members of the House of Representatives appointed by the Speaker thereof; four members of the Senate appointed by the President thereof; the Speaker of the House of Representatives, the President of the Senate, and the Governor, *ex officio*; and four citizens of the State appointed by the Governor. Members of the commission appointed by the Speaker of the House and President of the Senate shall serve during the term for which they were elected by the Legislature, and until their successors are appointed. Members of the commission appointed by the Governor shall hold office for terms concurrent with the term of the Governor, and until their successors are appointed. Any vacancy on the commission shall be filled for the unexpired term by appointment by the authority making the original appointment. The Governor shall serve as chairman of the commission, and shall designate some members of the commission to serve as vice-chairman. The vice-chairman shall preside in the absence of the chairman.

2. Members of the commission shall receive no compensation for their services, but they shall receive expenses incident to their service as members of the commission. The commission may employ such technical and other assistants as it deems necessary in carrying out its official duties. The commission may hold hearings at such times and places as it deems necessary.

3. The commission shall develop and promulgate information concerning the dual system of government, the federal and state, established under the Constitution of the United States and those of the several states. It may assemble and make available to interested persons facts concerning the relationship between the states and the United States, the powers reserved to the states respectively and the functions delegated to the central government, and the individual liberties preserved to citizens, together with the effect of integration, particularly of integration of schools and other public institutions on areas of heavy negro population on education. Further a study of the validity and propriety of "class actions" as such have been used and employed in Federal Courts to put into effect a wholesale injunction instead of the time honored limitations of treating a violation of the Fourteenth Amendment as giving rise to actions to and by named individuals, which becomes enactment of legislation. From time to time, the commission may publish such information as it deems appropriate to acquaint the general public, both in this State and elsewhere, with the nature of the relationship between the individual states and the United States and the freedoms reserved to the states and their individual citizens under the Constitution of the United States. Such publication may be by book, pamphlet, advertisement, or otherwise, as the commission deems appropriate.

4. The commission may cooperate with groups of like aims and purposes created by other states or with similar private groups in focusing the attention of the public on the individual liberties preserved to the citizens of the several states and the powers reserved to the states by the constitutions of the several states and of the United States. The commission shall in appropriate manner encourage similar activities by interested sister states in order to proclaim and protect the fundamental rights and powers of each of the several states and of their individual citizens, and call to the

attention of the Congress these basic fundamentals of our dual system of government with limited powers prescribed by the federal and state constitutions.

5. Upon request of the commission, all agencies of the State of Alabama shall assist the commission in the discharge of its duties.

6. All expenses of the commission shall be paid out of any funds appropriated to the Legislature, upon certificate of the chairman, not to exceed twenty-five thousand dollars (\$25,000).

And H. J. R. 35 was adopted.

Yeas 80; Nays 13.

Yeas:

Mr. Speaker	Dunn	Jenkins	Pierce
Adams	Edwards	Johnson (Hardaway)	Powell
Albea	Engel	Johnston (Leonard)	Pruitt
Avery	Faulk	Jones (Covington)	Ramey
Bailey	Ferguson	Jones (Monroe)	Rast
Barnett	Ford	Lee	Ray
Bassett	Gilchrist	Locke	Reynolds (Chambers)
Bevill	Gilmer	Long (Perry)	Roberts
Brannan	Glass	McClendon (Chambers)	Rogers (Macon)
Branyon	Goodwyn	McCorquodale	Rogers (Mobile)
Brewer	Gordon	McLendon (Bullock)	Salter
Britton	Grant	Meade	Sessions
Brooks	Gross	Merrill	Smith (Russell)
Camp	Hain	Morrow	Solomon
Casey	Hankins	Nettles	Sorrell
Cates	Hardy	Nichols	Steagall
Chambers	Harvey	Oakley	Sullivan
Cornett	Hawkins	Oden	Thomas
Daniel	Hearn	Owens	Turner
Dickson	Ingram	Perry	Vickers

—80

Nays:

Messrs.	Goldthwaite	Long (Lauderdale)	Shumate
Broadfoot	Grouby	Martin	Smith (St. Clair)
Cabiness	Guthrie	Murphy	Speaks
Dodd	Harris		

—13

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 38. Relative to the death of Mr. Forbus E. Williams.

J. E SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 37. Relative to the death of three educators, Dr. Thomas Hewell Napier, Professor Lorraine Peter and Professor Allie C. Anderson.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 37. Relative to the death of Dr. Thomas Hewell Napier, Professor Lorraine Peter and Professor Allie C. Anderson of Alabama College at Montevallo.

Also:

H. J. R. 38. Relative to the death of Mr. Forbus E. Williams of Shelby County.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the following Senate Bill:

S. 29. Proposing an amendment to the Constitution of Alabama relating the legislative apportionment.

and requests Committee on Conference.

The President and Presiding Officer of the Senate appointed as Conferrees on part of the Senate Messrs. Shelton, Berryman and Webb.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Pruitt the House acceded to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 29.

Yeas 80; Nays 6.

Yeas:

Mr. Speaker	Dickson	Ingram	Owens
Adams	Dodd	Jenkins	Powell
Albea	Dunn	Johnson (Hardaway)	Pruitt
Avery	Engel	Johnston (Leonard)	Ramey
Barnett	Faulk	Jones (Covington)	Ray
Bassett	Ford	Jones (Monroe)	Reynolds (Chambers)
Bevill	Franklin	Lee	Roberts
Bishop	Gilchrist	Long (Lauderdale)	Rogers (Macon)
Brannan	Gilmer	Long (Perry)	Rogers (Mobile)
Branyon	Glass	McClendon (Chambers)	Salter
Brewer	Goodwyn	McCorquodale	Sessions
Britton	Gordon	McLendon (Bullock)	Smith (Russell)
Brooks	Grant	Martin	Smith (St. Clair)
Camp	Grouby	Meade	Solomon
Casey	Guthrie	Merrill	Sorrell
Cates	Hanby	Murphy	Steagall
Chambers	Hankins	Nettles	Sullivan
Cook	Harris	Nichols	Turner
Cornett	Harvey	Oakley	Turnham
Daniel	Hearn	Oden	Vickers

—80

Nays:

Messrs.	Edwards	Hawkins	Perry
Broadfoot	Ferguson	Morrow	

—6

And the Speaker named as a Committee of Conference on the part of the House Messrs. Pruitt, Branyon and Long (Lauderdale).

UNANIMOUS CONSENT GRANTED

Mr. Reynolds (Chambers) requested unanimous consent to introduce a resolution and it was so granted.

RESOLUTION

The following resolution was introduced:

By Messrs. Reynolds (Chambers), Vickers, Johnson (J. T. Tom) and Hardy:

H. J. R. 41. Whereas, Miss Roberta Alison, a native of Alexander City, Alabama and freshman at the University of Alabama has recently achieved national acclaim by winning the Women's National Collegiate Tennis Championship in St. Louis, Missouri, and having previously won the Kentucky State Junior title on two occasions, is today acknowledged the ranking woman tennis player in the entire South,

Whereas, these sterling achievements reflect great credit upon Miss Alison, her mother and father, her coaches at the University, and upon the State of Alabama, and must inevitably inspire and stimulate many of our youth to greater effort and similar goals in tennis and other competitive sports, and thus promote and stimulate physical fitness of our youth, now therefore

Be It Resolved By The Legislature of Alabama, That we share the feeling of pride in Miss Alison's accomplishments with her host of friends in Alexander City and throughout the State and do hereby extend to her our hearty congratulations and best wishes for the best of luck in her competitions on the way to future national championships.

Be It Further Resolved, That a copy of this resolution be mailed by the Clerk of the House of Representatives to Miss Roberta Alison at Alexander City, Alabama.

On motion of Mr. Reynolds (Chambers) the rules were suspended and H. J. R. 41 was adopted.

BILLS ON SECOND READING

Mr. Gilchrist, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 58. To provide further for nominations by political parties of candidates for election to the legislature; confirming and continuing certain nominations made in the party primary elections or party meetings in 1962; authorizing, providing for and regulating special party primary elections and mass, beat, or other party meetings under certain conditions for the purpose of nominating certain of such candidates; and placing special duties on the secretary of state.

Mr. Pruitt, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 3. To amend further Code of Alabama 1940, Title 13, Section 112, so as to create the 34th judicial circuit.

H. 34. To amend further Section 7, Title 60, Code of Alabama 1940, as amended, which relates to the widows of Confederate veterans who are entitled to pensions.

S. 74. To provide for the study of ways and means of solving problems of mental health and mental retardation, creating a legislative committee for that purpose.

S. 76. To authorize and direct the Alabama Education Authority to allocate and distribute certain funds to the county board of education of Coosa County for the purpose of erecting additional classrooms for negro schools, upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959.

S. 8. Proposing an amendment to the Constitution of Alabama relating to the mode of proposing constitutional amendments.

The above bill was read a second time at length as required by the Constitution.

S. 53. To amend Section 1 of Act No. 388, approved September 9, 1955, entitled "An Act To Fix the Compensation of Certain State Officers".

S. 55. To create the office of deputy attorney general of Alabama.

S. 56. Proposing to amend the Constitution of Alabama 1901 in relation to the distribution of profits derived by the state from the sale of alcoholic beverages.

The above bill was read a second time at length as required by the Constitution.

S. 84. To make a conditional appropriation to the State Fair Authority to aid in the construction of a livestock exhibit building.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same return to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 200. Proposing an amendment to the Constitution of Alabama relative to levying property taxes for public school purposes in Franklin County.

The above bill was read a second time at length as required by the Constitution.

H. 201. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 31,500 nor more than 33,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

S. 75. To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties.

S. 79. Relating to Perry County; providing for the election of members of the court of county commissioners, board of revenue, or other like governing body of Perry County by districts.

S. 82. Relating to the municipality of Haleyville, Winston County, Alabama: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Haleyville, Winston County, Alabama.

Mr. Perry, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 78. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

INTRODUCTION OF BILL

Upon a call of counties the following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Mr. Britton:

H. 202. Relating to Washington County, directing the board of registrars to purge the list of registered voters; requiring and prescribing the procedure for the reidentification of registered voters, and providing a penalty for making a willfully false statement in connection with reidentification.

Local Legislation No. 1.

BILLS ON THIRD READING S. 42 POSTPONED

On motion of Mr. Smith (St. Clair), consideration of the bill, S. 42, was postponed until the next legislative day.

And the bill:

S. 38. Relating to inferior courts in counties having a population of not less than one hundred thousand nor more than one hundred fifteen thousand inhabitants; increasing the jurisdiction of such inferior courts of such counties from \$300 to \$500 in civil cases and providing additional compensation for the judge of such courts beginning with his next term of office in January, 1963.

Was taken up.

Mr. Ferguson offered the following amendment to the bill, S. 38:

Delete Section 3 of S. B. 38.

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker
Adams
Albea
Bailey
Barnett

Bassett
Bevill
Bishop
Brannan
Brewer

Britton
Broadfoot
Brooks
Cabiness
Casey

Cates
Chambers
Cook
Cornett
Daniel

Dickson	Guthrie	McLendon (Bullock)	Reynolds (Chambers)
Dodd	Hain	Martin	Rogers (Macon)
Dunn	Hankins	Meade	Rogers (Mobile)
Edwards	Hardy	Merrill	Salter
Engel	Harris	Morrow	Sessions
Faulk	Hawkins	Nettles	Shumate
Ferguson	Hearn	Nichols	Smith (Russell)
Ford	Ingram	Oakley	Sorrell
Franklin	Jenkins	Oden	Speaks
Gilmer	Johnson (Hardaway)	Owens	Steagall
Glass	Johnston (Leonard)	Perry	Sullivan
Goldthwaite	Jones (Monroe)	Pierce	Taylor
Goodwyn	Lee	Powell	Thomas
Gordon	Locke	Ramey	Turner
Grant	Long (Perry)	Rast	Turnham
Gross	McClendon (Chambers)	Ray	Vickers
Grouby	McCorquodale		

—86

On motion of Mr. Ferguson, further consideration of the bill, S. 38, as amended, was postponed until the next legislative day.

And the bill:

H. 188. Relating to counties having populations of not less than 97,000 nor more than 117,000; providing further for regulation of persons engaged in the business of selling money orders and other like instruments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Dodd	Ingram	Pierce
Adams	Edwards	Jenkins	Powell
Albea	Engel	Johnson (Hardaway)	Ramey
Bailey	Ferguson	Johnston (Leonard)	Rast
Barnett	Ford	Jones (Covington)	Ray
Bassett	Franklin	Jones (Monroe)	Roberts
Bevill	Gilchrist	Lee	Rogers (Macon)
Bishop	Gilmer	Locke	Rogers (Mobile)
Brannan	Glass	Long (Perry)	Salter
Brewer	Goldthwaite	McClendon (Chambers)	Sessions
Britton	Goodwyn	McCorquodale	Shumate
Broadfoot	Gordon	McLendon (Bullock)	Smith (Russell)
Brooks	Grant	Martin	Solomon
Cabiness	Gross	Meade	Sorrell
Callahan	Grouby	Merrill	Speaks
Camp	Guthrie	Morrow	Steagall
Casey	Hain	Nettles	Sullivan
Cates	Hankins	Nichols	Taylor
Chambers	Hardy	Oakley	Thomas
Cook	Harvey	Oden	Turner
Cornett	Hawkins	Owens	Turnham
Daniel	Hearn	Perry	Vickers
Dickson			

—89

And the bill:

H. 193. Relating to the Office of the Circuit Solicitor of the Thirty-Third Judicial Circuit: Creating a fund for the use of certain state officers of said Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dodd	Hearn	Pierce
Adams	Dunn	Ingram	Powell
Albea	Edwards	Jenkins	Ramey
Avery	Engel	Johnson (Hardaway)	Rast
Bailey	Faulk	Johnston (Leonard)	Ray
Barnett	Ferguson	Jones (Covington)	Roberts
Bassett	Ford	Jones (Monroe)	Rogers (Macon)
Bevill	Franklin	Lee	Rogers (Mobile)
Bishop	Gilchrist	Locke	Salter
Brannan	Gilmer	Long (Perry)	Sessions
Brewer	Glass	McClendon (Chambers)	Shumate
Britton	Goldthwaite	McCorquodale	Smith (Russell)
Broadfoot	Goodwyn	McLendon (Bullock)	Solomon
Brooks	Gordon	Martin	Sorrell
Cabiness	Grant	Meade	Speaks
Camp	Gross	Merrill	Steagall
Casey	Grouby	Morrow	Sullivan
Cates	Guthrie	Nettles	Taylor
Chambers	Hain	Oakley	Thomas
Cook	Hankins	Oden	Turner
Cornett	Hardy	Owens	Turnham
Daniel	Harvey	Perry	Vickers
Dickson	Hawkins		

—90

And the bill:

H. 197. To fix the compensation of the coroner of Madison County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Brewer	Cornett	Gilchrist
Adams	Britton	Daniel	Gilmer
Albea	Broadfoot	Dickson	Glass
Avery	Brooks	Dodd	Goldthwaite
Bailey	Cabiness	Edwards	Goodwyn
Barnett	Camp	Engel	Gordon
Bassett	Casey	Faulk	Grant
Bevill	Cates	Ferguson	Gross
Bishop	Chambers	Ford	Grouby
Brannan	Cook	Franklin	Guthrie

Hain	McClendon (Chambers)	Perry	Smith (Russell)
Hardy	McCorquodale	Pierce	Smith (St. Clair)
Harvey	McLendon (Bullock)	Powell	Solomon
Hawkins	Martin	Ramey	Sorrell
Hearn	Meade	Rast	Speaks
Ingram	Merrill	Ray	Steagall
Jenkins	Morrow	Roberts	Sullivan
Johnson (Hardaway)	Nettles	Rogers (Macon)	Taylor
Johnston (Leonard)	Nichols	Rogers (Mobile)	Thomas
Jones (Covington)	Oakley	Salter	Turner
Lee	Oden	Sessions	Turnham
Locke	Owens	Shumate	Vickers
Long (Perry)			

—89

And the bill:

H. 198. To amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, vol. 1, p. 273), which relates to Mobile County.

Was taken up.

Mr. Engel offered the following substitute for the bill, H. 198:

SUBSTITUTE TO HOUSE BILL 198

A BILL TO BE ENTITLED AN ACT

To amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, vol. 1, p. 273), which relates to Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 216, H. 598, Regular Session 1957 (Acts 1957, vol. 1, p. 273), an act relating to bailiffs who serve in the General Sessions Court of Mobile County, is hereby amended to read as follows:

"Section 1. Each judge of the Court of General Sessions of Mobile County created by an act approved March 23, 1956, is authorized and empowered to appoint, without regard to the county merit or civil service system, one bailiff for the court. Each bailiff appointed shall hold office at the will and pleasure of the judge who appoints him, and shall be paid an annual salary of not more than Forty-Nine Hundred dollars, to be fixed by the judge. The compensation of such bailiff shall be paid from the county treasury on the certificate of the appointing judge showing that the bailiff had performed the duties assigned to him."

And the substitute was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker
Adams

Albea
Avery

Bailey
Barnett

Bassett
Bevill

Bishop	Ford	Jones (Covington)	Rast
Brannan	Franklin	Jones (Monroe)	Ray
Brewer	Gilchrist	Lee	Roberts
Britton	Gilmer	Locke	Rogers (Macon)
Broadfoot	Glass	Long (Perry)	Rogers (Mobile)
Brooks	Gordon	McClendon (Chambers)	Salter
Cabiness	Grant	McCorquodale	Sessions
Camp	Gross	McLendon (Bullock)	Shumate
Cates	Grouby	Meade	Smith (Russell)
Chambers	Guthrie	Merrill	Smith (St. Clair)
Cook	Hain	Morrow	Solomon
Cornett	Hankins	Nettles	Sorrell
Daniel	Hardy	Nichols	Speaks
Dickson	Harvey	Oakley	Steagall
Dodd	Hawkins	Oden	Sullivan
Dunn	Hearn	Owens	Taylor
Edwards	Ingram	Perry	Thomas
Engel	Jenkins	Pierce	Turner
Faulk	Johnson (Hardaway)	Powell	Turnham
Ferguson	Johnston (Leonard)	Ramey	Vickers

—88

And said bill, H. 198, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dunn	Ingram	Powell
Adams	Edwards	Jenkins	Ramey
Albea	Engel	Johnson (Hardaway)	Rast
Bailey	Faulk	Johnston (Leonard)	Ray
Barnett	Ferguson	Jones (Covington)	Roberts
Bassett	Ford	Jones (Monroe)	Rogers (Macon)
Bevill	Franklin	Lee	Rogers (Mobile)
Bishop	Gilchrist	Locke	Salter
Brannan	Gilmer	Long (Perry)	Sessions
Brewer	Glass	McClendon (Chambers)	Shumate
Britton	Goldthwaite	McCorquodale	Smith (Russell)
Broadfoot	Goodwyn	Martin	Smith (St. Clair)
Brooks	Gordon	Meade	Solomon
Cabiness	Grant	Merrill	Sorrell
Camp	Gross	Morrow	Speaks
Casey	Grouby	Murphy	Steagall
Cates	Guthrie	Nettles	Sullivan
Chambers	Hain	Oakley	Taylor
Cook	Hankins	Oden	Thomas
Cornett	Hardy	Owens	Turner
Daniel	Harvey	Perry	Turnham
Dickson	Hawkins	Pierce	Vickers
Dodd	Hearn		

—90

And the bill:

H. 199. To apply only in counties having populations of not less than 20,000 nor more than 21,000; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license

tax has been paid; prohibiting the sale of fish so taken; prescribing penalties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dunn	Hearn	Pierce
Adams	Edwards	Ingram	Powell
Albea	Engel	Jenkins	Ramey
Avery	Faulk	Johnson (Hardaway)	Rast
Bailey	Ferguson	Johnston (Leonard)	Ray
Barnett	Ford	Jones (Covington)	Roberts
Bassett	Franklin	Jones (Monroe)	Rogers (Macon)
Bevill	Gilchrist	Lee	Rogers (Mobile)
Bishop	Gilmer	Locke	Salter
Brannan	Glass	Long (Perry)	Sessions
Brewer	Goldthwaite	McClendon (Chambers)	Shumate
Britton	Goodwyn	McCorquodale	Smith (Russell)
Brooks	Gordon	McLendon (Bullock)	Smith (St. Clair)
Cabiness	Grant	Martin	Solomon
Camp	Gross	Meade	Sorrell
Casey	Grouby	Merrill	Speaks
Cates	Guthrie	Morrow	Steagall
Chambers	Hain	Nettles	Sullivan
Cook	Hankins	Nichols	Taylor
Cornett	Hardy	Oakley	Thomas
Daniel	Harris	Oden	Turner
Dickson	Harvey	Owens	Turnham
Dodd	Hawkins	Perry	Vickers

—92

And the bill:

H. 195. For the relief of H. E. Bryant; providing that the Board of Managers of the City of Birmingham Retirement and Relief System, established by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, page 1579, et seq.) shall have six months from the effective date of this Act in which to take action on the application of H. E. Bryant for extraordinary disability allowance.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Bishop	Casey	Dodd
Adams	Brannan	Cates	Dunn
Albea	Brewer	Chambers	Edwards
Bailey	Britton	Cook	Engel
Barnett	Broadfoot	Cornett	Faulk
Bassett	Brooks	Daniel	Ferguson
Bevill	Camp	Dickson	Ford

Franklin	Ingram	Murphy	Salter
Gilchrist	Jenkins	Nettles	Sessions
Gilmer	Johnson (Hardaway)	Nichols	Shumate
Glass	Johnston (Leonard)	Oakley	Smith (Russell)
Goldthwaite	Jones (Covington)	Oden	Smith (St. Clair)
Gordon	Jones (Monroe)	Owens	Solomon
Grant	Lee	Perry	Sorrell
Gross	Locke	Pierce	Speaks
Grouby	Long (Perry)	Powell	Steagall
Guthrie	McClendon (Chambers)	Ramey	Sullivan
Hain	McCorquodale	Rast	Taylor
Hankins	McLendon (Bullock)	Ray	Thomas
Hardy	Martin	Roberts	Turner
Harvey	Meade	Rogers (Macon)	Turnham
Hawkins	Merrill	Rogers (Mobile)	Vickers
Hearn	Morrow		

—90

And the bill:

H. 37. (with amendment). To provide for collection and enforcement by the state department of revenue of sales and use taxes levied or assessed by any city or town.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on State Administration, said committee amendment being as follows:

Amend H. B. 37 by adding thereto the following:

"Section 5. Provided, however, that this Act shall apply only to municipalities situated in counties having a population of not less than 56,700 and not more than 60,500, according to the 1960 or any subsequent federal decennial census; and also municipalities situated in counties having a population of not less than 115,000 and not more than 160,000, according to the 1960 or any subsequent federal decennial census.

And the amendment was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Camp	Ford	Harvey
Adams	Casey	Franklin	Hawkins
Albea	Cates	Gilchrist	Hearn
Avery	Chambers	Gilmer	Ingram
Bailey	Cook	Glass	Jenkins
Barnett	Cornett	Goodwyn	Johnson (Hardaway)
Bassett	Daniel	Gordon	Johnston (Leonard)
Bevill	Dickson	Grant	Jones (Covington)
Bishop	Dodd	Gross	Jones (Monroe)
Brannan	Dunn	Guthrie	Lee
Brewer	Edwards	Hain	Locke
Britton	Engel	Hankins	Long (Perry)
Broadfoot	Faulk	Hardy	McClendon (Chambers)
Brooks	Ferguson	Harris	McLendon (Bullock)

Martin	Owens	Rogers (Macon)	Speaks
Meade	Perry	Rogers (Mobile)	Steagall
Merrill	Pierce	Sessions	Sullivan
Morrow	Powell	Shumate	Taylor
Murphy	Ramey	Smith (Russell)	Thomas
Nettles	Rast	Smith (St. Clair)	Turner
Oakley	Ray	Solomon	Turnham
Oden	Roberts	Sorrell	Vickers

—88

Mr. Long (Perry) offered the following amendment to the bill, H. 37, as amended:

AMENDMENT TO H. 37 AS AMENDED

Strike out Section 5 of the bill and insert in lieu thereof the following:

Section 5. This Act shall apply only to municipalities situated in counties having populations of not less than 56,700 nor more than 60,500, according to the 1960 or any subsequent federal decennial census; and also to municipalities situated in counties having populations of not less than 115,000 nor more than 160,000, and municipalities situated in counties having populations of not less than 17,000 nor more than 17,500, according to the most recent federal decennial census.

And the amendment was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Edwards	Hearn	Pierce
Adams	Engel	Ingram	Powell
Albea	Faulk	Jenkins	Ramey
Avery	Ferguson	Johnson (Hardaway)	Rast
Bailey	Ford	Johnston (Leonard)	Ray
Barnett	Franklin	Jones (Covington)	Roberts
Bassett	Gilchrist	Jones (Monroe)	Rogers (Macon)
Bevill	Gilmer	Lee	Rogers (Mobile)
Bishop	Glass	Locke	Salter
Brannan	Goldthwaite	Long (Perry)	Shumate
Brewer	Goodwyn	McClendon (Chambers)	Smith (Russell)
Britton	Gordon	McLendon (Bullock)	Smith (St. Clair)
Brooks	Grant	Martin	Solomon
Camp	Gross	Merrill	Sorrell
Casey	Grouby	Morrow	Speaks
Cates	Hain	Murphy	Steagall
Chambers	Hanby	Nettles	Sullivan
Cook	Hankins	Nichols	Taylor
Cornett	Hardy	Oakley	Thomas
Daniel	Harris	Oden	Turner
Dickson	Harvey	Owens	Turnham
Dodd	Hawkins	Perry	Vickers
Dunn			

—89

And said bill H. 37, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dodd	Hearn	Perry
Adams	Dunn	Ingram	Pierce
Albea	Edwards	Jenkins	Powell
Avery	Engel	Johnson (Hardaway)	Ramey
Bailey	Faulk	Johnston (Leonard)	Rast
Barnett	Ferguson	Jones (Covington)	Ray
Bassett	Ford	Jones (Monroe)	Roberts
Bevill	Franklin	Lee	Rogers (Macon)
Bishop	Gilchrist	Locke	Rogers (Mobile)
Brannan	Gilmer	Long (Perry)	Salter
Brewer	Goldthwaite	McClendon (Chambers)	Sessions
Britton	Gordon	McLendon (Bullock)	Shumate
Brooks	Grant	Martin	Smith (Russell)
Cabiness	Gross	Meade	Smith (St. Clair)
Camp	Grouby	Merrill	Solomon
Casey	Hain	Morrow	Sorrell
Cates	Hanby	Murphy	Steagall
Chambers	Hankins	Nettles	Sullivan
Cook	Hardy	Nichols	Thomas
Cornett	Harris	Oakley	Turner
Daniel	Harvey	Oden	Vickers
Dickson	Hawkins	Owens	

—87

BILLS TEMPORARILY POSTPONED

On motion of Mr. Casey, consideration of the bills, S. 44 and S. 45, was temporarily postponed.

On motion of Mr. Oden, consideration of the bill, H. 20, was temporarily postponed.

And the bill:

H. 162. (with substitute). To authorize and direct the Alabama Education Authority to allocate and distribute a part of the earnings or income from the investment of that part of the proceeds of bonds, issued by said Authority under Act No. 126, H. 15, Second Special Session 1959 (Acts 1959, p. 369), not currently needed from the purpose for which such bonds were issued, to the board of trustees of the junior college located in Franklin County; to the county board of education of Tallapoosa County; and to the Alabama Industrial School for Negro Children; and to provide for the use of such money for school building purposes at each of the above named schools upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959 Second Special Session, p. 369.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on State Administration, said committee substitute being as follows:

State Administration Committee Substitute for H. B. 162

A BILL
TO BE ENTITLED
AN ACT

To authorize and direct the Alabama Education Authority to allocate and distribute a part of the earnings or income from the investment of that part of the proceeds of bonds, issued by said Authority under Act No. 126, H. 15, Second Special Session 1959 (Acts 1959, p. 369), not currently needed for the purpose for which such bonds were issued, to the board of trustees of the junior college located in Franklin County; to the county board of education of Tallapoosa County; to the county board of education of Bibb County; and to the Alabama Industrial School for Negro Children; and to provide for the use of such money for school building purposes under the same terms and like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959 Second Special Session, p. 369.

Be It Enacted by the Legislature of Alabama:

Section 1. The Alabama Education Authority, established pursuant to Act No. 126, H. 15, Second Special Session 1959, is hereby authorized and directed to allocate and distribute, out of any monies in the state treasury to the credit of such Authority heretofore or hereafter accruing from earnings or income from the investment of that part of the proceeds of any bonds issued which could not immediately be applied to the purpose for which such bonds were issued an amount not in excess of the following respective amounts:

Two hundred thousand dollars (\$200,000) to the State Junior College, located in Franklin County, pursuant to Act No. 888, H. 1113, Regular Session 1961.

One hundred thousand dollars (\$100,000) to the county board of education of Tallapoosa County for the construction of a gymnasium for the Edward Bell Negro High School, located at Camp Hill.

Two hundred thousand dollars (\$200,000) to the county board of education of Bibb County for the construction of a high school in West Blockton, Alabama.

Two hundred seventy thousand dollars (\$270,000) to the Alabama Industrial School for Negro Children, established and operated pursuant to Act No. 522, S. 107, Regular Session 1947.

All money allocated and distributed hereunder to the above named schools shall be used solely for the purpose of financing the construction, reconstruction, alteration and improvement of school buildings, under this Act. The preparation of all plans and specifications for any such buildings and all work done hereunder in regard to construction, reconstruction, alteration and improvement of school buildings shall be supervised by the Alabama Building Commission in the same manner and upon the same terms and conditions that the plans and specifications for and work done on school buildings under Act No. 126, H. 15, Second Special Session 1959 are supervised.

Section 2. The Alabama Building Commission and the Alabama Education Authority shall each have the same powers and authority and shall perform the same duties relative to the use of money distributed pursuant to this Act that they have relative to monies distributed pursuant to said Act No. 126, H. 15, Second Special Session 1959.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 61; Nays 22.

Yeas:

Mr. Speaker	Daniel	Harris	Powell
Adams	Dickson	Hearn	Rast
Avery	Dunn	Ingram	Ray
Bailey	Ford	Jenkins	Reynolds (Chambers)
Barnett	Franklin	Johnson (Hardaway)	Roberts
Bassett	Glass	Johnston (Leonard)	Rogers (Macon)
Bevill	Goldthwaite	Jones (Covington)	Salter
Bishop	Goodwyn	Lee	Shumate
Brannan	Grant	Long (Perry)	Smith (Russell)
Britton	Gross	McClendon (Chambers)	Smith (St. Clair)
Brooks	Grouby	McLendon (Bullock)	Sorrell
Camp	Hain	Meade	Sullivan
Casey	Hanby	Nichols	Taylor
Chambers	Hankins	Oden	Turnham
Cook	Hardy	Pierce	Vickers
Cornett			

—61

Nays:

Messrs.	Dodd	Martin	Ramey
Albea	Engel	Merrill	Sessions
Brewer	Ferguson	Morrow	Speaks
Broadfoot	Gilchrist	Murphy	Thomas
Cabiness	Harvey	Oakley	Turner
Cates	Jones (Monroe)	Perry	

—22

Mr. Jenkins offered the following substitute for the bill, H. 162, as amended:

A BILL TO BE ENTITLED AN ACT

To authorize and direct the Alabama Education Authority to allocate and distribute a part of the earnings or income from the investment of that part of the proceeds of bonds, issued by said Authority under Act No. 126, H. 15, Second Special Session 1959 (Acts 1959, p. 369), not currently needed for the purpose for which such bonds were issued, to the board of trustees of the junior college located in Franklin County; to the county board of education of Tallapoosa County; to the county board of education of Bibb

County; to the county board of education of Randolph County; and to the Alabama Industrial School for Negro Children; and to provide for the use of such money for school building purposes under the same terms and like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959 Second Special Session, p. 369.

Be It Enacted by the Legislature of Alabama:

Section 1. The Alabama Education Authority, established pursuant to Act No. 126, H. 15, Second Special Session 1959, is hereby authorized and directed to allocate and distribute, out of any monies in the state treasury to the credit of such Authority heretofore or hereafter accruing from earnings or income from the investment of that part of the proceeds of any bonds issued which could not immediately be applied to the purpose for which such bonds were issued an amount not in excess of the following respective amounts:

Two hundred thousand dollars (\$200,000) to the State Junior College, located in Franklin County, pursuant to Act No. 888, H. 1113, Regular Session 1961.

One hundred thousand dollars (\$100,000) to the county board of education of Tallapoosa County for the construction of a gymnasium for the Edward Bell Negro High School, located at Camp Hill.

Two hundred thousand dollars (\$200,000) to the county board of education of Bibb County for the construction of a high school in West Blocton, Alabama.

Forty thousand dollars (\$40,000) to the county board of education of Randolph County for aid in constructing of the Handley High School at Roanoke, Alabama.

Two hundred seventy thousand dollars (\$270,000) to the Alabama Industrial School for Negro Children, established and operated pursuant to Act No. 522, S. 107, Regular Session 1947.

All money allocated and distributed hereunder to the above named schools shall be used solely for the purpose of financing the construction, reconstruction, alteration and improvement of school buildings, under this Act. The preparation of all plans and specifications for any such buildings and all work done hereunder in regard to construction, reconstruction, alteration and improvement of school buildings shall be supervised by the Alabama Building Commission in the same manner and upon the same terms and conditions that the plans and specifications for and work done on school buildings under Act No. 126, H. 15, Second Special Session 1959 are supervised.

Section 2. The Alabama Building Commission and the Alabama Education Authority shall each have the same powers and authority and shall perform the same duties relative to the use of money distributed pursuant to this Act that they have relative to monies distributed pursuant to said Act No. 126, H. 15, Second Special Session 1959.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 75; Nays 5.

Yeas:

Mr. Speaker	Dodd	Johnston (Leonard)	Rast
Adams	Dunn	Jones (Covington)	Ray
Avery	Edwards	Lee	Roberts
Bailey	Engel	Locke	Rogers (Macon)
Barnett	Faulk	Long (Perry)	Rogers (Mobile)
Bassett	Ford	McClendon (Chambers)	Salter
Bishop	Franklin	McCorquodale	Sessions
Brannan	Gilchrist	McLendon (Bullock)	Shumate
Brewer	Glass	Martin	Smith (Russell)
Britton	Goldthwaite	Meade	Smith (St. Clair)
Broadfoot	Goodwyn	Morrow	Sorrell
Brooks	Grant	Murphy	Speaks
Cabiness	Hankins	Nettles	Steagall
Callahan	Harvey	Nichols	Sullivan
Camp	Hawkins	Oakley	Taylor
Cates	Hearn	Perry	Thomas
Chambers	Ingram	Pierce	Turner
Copeland	Jenkins	Powell	Vickers
Daniel	Johnson (Hardaway)	Ramey	

—75

Nays:

Messrs.	Ferguson	Jones (Monroe)	Merrill
Albea	Gross		

—5

Mr. Lee offered the following amendment to the bill, H. 162, as amended:

Amend the Bill, H. B. 162, by adding at the end thereof the following paragraph:

A. There is further appropriated to the Board of Education of Barbour County the sum of One Hundred twenty-eight and 60/100 (\$128.60) Dollars for the construction of an outdoor toilet with at least two seats at Clio, Alabama, the same to be known as the "Lee Building" and to contain an appropriate marker designating the name of said building, "And there is further appropriated to said Board the sum of \$129.60 for the purchase of said marker."

And the amendment was adopted.

Yeas 71; Nays 6.

Yeas:

Mr. Speaker	Bailey	Bassett	Brewer
Adams	Barnett	Bishop	Britton

Broadfoot	Franklin	Lee	Ray
Brooks	Gilchrist	Locke	Roberts
Callahan	Gilmer	Long (Perry)	Rogers (Macon)
Cates	Gordon	McClendon (Chambers)	Rogers (Mobile)
Chambers	Grant	McCorquodale	Sessions
Cook	Gross	McLendon (Bullock)	Shumate
Cornett	Grouby	Meade	Smith (St. Clair)
Daniel	Hankins	Morrow	Sorrell
Dickson	Harvey	Murphy	Speaks
Dodd	Hawkins	Nettles	Steagall
Dunn	Hearn	Oakley	Sullivan
Edwards	Ingram	Oden	Taylor
Engel	Jenkins	Perry	Thomas
Faulk	Johnson (Hardaway)	Powell	Turner
Ferguson	Jones (Covington)	Ramey	Vickers
Ford	Jones (Monroe)	Rast	

—71

Nays:

Messrs.	Avery	Copeland	Turnham
Albea	Camp	Salter	

—6

Mr. Branyon offered the following substitute for the bill, H. 162, as amended:

Substitute for H. 162, as Amended

A BILL
TO BE ENTITLED
AN ACT

To authorize and direct the Alabama Education Authority to allocate and distribute equally among the several counties of the State the earnings or income from the investment of that part of the proceeds of its bonds not currently needed for the purpose for which such bonds were issued.

Be It Enacted by the Legislature of Alabama:

Section 1. The Alabama Education Authority established under Act No. 126, H. 15, Second Special Session 1959, is hereby authorized and directed to allocate and distribute all moneys in the state treasury to the credit of such Authority heretofore or hereafter accruing from earnings or income from the investment of that part of the proceeds of any bonds issued by it which could not be immediately applied to the purpose for which such bonds were issued equally among the 67 counties of the state, to be used and expended by the county board of education for school building construction and other educational purposes.

Section 2. The Alabama Building Commission and the Alabama Education Authority shall each have the same powers and authority and shall perform the same duties relative to the use of money distributed pursuant to this Act as they have relative to funds distributed pursuant to said Act No. 126, H. 15, Second Special Session 1959.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

The motion of Mr. Rogers (Mobile) to lay on the table the substitute offered by Mr. Branyon was lost.

Yeas 27; Nays 66.

Yeas:

Mr. Speaker	Edwards	Locke	Ray
Adams	Engel	Merrill	Roberts
Albea	Ferguson	Morrow	Rogers (Mobile)
Bailey	Franklin	Murphy	Sessions
Callahan	Goldthwaite	Oden	Shumate
Copeland	Goodwyn	Perry	Turnham
Cornett	Hawkins	Rast	

—27

Nays:

Messrs.	Dickson	Harvey	Owens
Avery	Dodd	Hearn	Powell
Barnett	Dunn	Ingram	Ramey
Bassett	Faulk	Jenkins	Reynolds (Chambers)
Bishop	Ford	Johnson (Hardaway)	Rogers (Macon)
Brannan	Gilchrist	Johnston (Leonard)	Salter
Branyon	Gilmer	Jones (Covington)	Smith (St. Clair)
Brewer	Glass	Jones (Monroe)	Solomon
Britton	Gordon	Lee	Sorrell
Broadfoot	Grant	Long (Perry)	Speaks
Brooks	Gross	McClendon (Chambers)	Steagall
Cabiness	Grouby	McCorquodale	Sullivan
Casey	Guthrie	McLendon (Bullock)	Taylor
Cates	Hain	Martin	Thomas
Chambers	Hankins	Meade	Turner
Cook	Hardy	Nettles	Vickers
Daniel	Harris	Oakley	

—66

The question was then on the adoption of the substitute offered by Mr. Branyon for the bill, H. 162, as amended, and said substitute was adopted.

Yeas 77; Nays 19.

Yeas:

Messrs.	Britton	Daniel	Glass
Adams	Broadfoot	Dickson	Gordon
Avery	Brooks	Dodd	Grant
Barnett	Cabiness	Dunn	Gross
Bassett	Casey	Edwards	Grouby
Bishop	Cates	Faulk	Guthrie
Brannan	Chambers	Ford	Hain
Branyon	Cook	Gilchrist	Hanby
Brewer	Copeland	Gilmer	Hankins

Hardy	Locke	Owens	Smith (St. Clair)
Harris	Long (Lauderdale)	Perry	Solomon
Harvey	Long (Perry)	Powell	Sorrell
Hawkins	McClendon (Chambers)	Ramey	Speaks
Hearn	McCorquodale	Rast	Steagall
Ingram	McLendon (Bullock)	Ray	Sullivan
Johnson (Hardaway)	Martin	Reynolds (Chambers)	Taylor
Johnston (Leonard)	Meade	Rogers (Macon)	Thomas
Jones (Covington)	Morrow	Salter	Turner
Jones (Monroe)	Nettles	Sessions	Turnham
Lee	Oakley		

—77

Nays:

Mr. Speaker	Cornett	Goodwyn	Roberts
Albea	Engel	Jenkins	Rogers (Mobile)
Bailey	Ferguson	Merrill	Shumate
Callahan	Franklin	Murphy	Vickers
Camp	Goldthwaite	Nichols	

—19

Mr. Ashworth offered the following amendment to the bill, H. 162, as amended:

Amendment to H. 162 as amended

In Section 1, add at the end thereof the following sentence:

It is expressly provided, however, that that part of the funds allocated by the Authority to Bibb County under this Act shall be used in the construction of a high school at West Blocton.

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cook	Grouby	McCorquodale
Adams	Cornett	Guthrie	McLendon (Bullock)
Albea	Daniel	Hain	Martin
Avery	Dickson	Hankins	Meade
Bailey	Dodd	Hardy	Merrill
Barnett	Dunn	Harris	Morrow
Bassett	Edwards	Harvey	Nettles
Bevill	Engel	Hawkins	Nichols
Bishop	Faulk	Hearn	Oakley
Brannan	Ferguson	Ingram	Oden
Branyon	Ford	Jenkins	Perry
Brewer	Franklin	Johnson (Hardaway)	Powell
Britton	Gilchrist	Johnston (Leonard)	Ramey
Broadfoot	Gilmer	Jones (Covington)	Rast
Brooks	Glass	Jones (Monroe)	Ray
Cabiness	Goldthwaite	Lee	Reynolds (Chambers)
Camp	Goodwyn	Locke	Roberts
Casey	Gordon	Long (Lauderdale)	Rogers (Macon)
Cates	Grant	Long (Perry)	Rogers (Mobile)
Chambers	Gross	McClendon (Chambers)	Salter

Sessions	Smith (St. Clair)	Sullivan	Turner
Shumate	Solomon	Taylor	Turnham
Smith (Russell)	Steagall	Thomas	Vickers

—92

Mr. Jenkins offered the following amendment to the bill, H. 162, as amended:

Amendment to H. B. 162 as amended

In Section 1, add at the end thereof the following sentence:

"It is expressly provided, however, that the money distributed to Randolph County by the Authority shall be used for the purpose of construction and/or operation of Handley High School in Roanoke, Alabama."

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hardy	Oakley
Adams	Dickson	Harvey	Perry
Albea	Dodd	Hawkins	Powell
Avery	Dunn	Hearn	Ramey
Bailey	Edwards	Ingram	Ray
Barnett	Engel	Jenkins	Reynolds (Chambers)
Bassett	Faulk	Johnson (Hardaway)	Roberts
Bevill	Ferguson	Johnston (Leonard)	Rogers (Macon)
Bishop	Ford	Jones (Covington)	Rogers (Mobile)
Brannan	Franklin	Lee	Salter
Branyon	Gilchrist	Locke	Sessions
Brewer	Gilmer	Long (Lauderdale)	Shumate
Britton	Glass	Long (Perry)	Smith (Russell)
Broadfoot	Goldthwaite	McClendon (Chambers)	Smith (St. Clair)
Brooks	Goodwyn	McCorquodale	Solomon
Cabiness	Gordon	McLendon (Bullock)	Sorrell
Callahan	Grant	Martin	Steagall
Camp	Gross	Meade	Sullivan
Casey	Grouby	Merrill	Taylor
Cates	Guthrie	Morrow	Thomas
Chambers	Hain	Murphy	Turner
Cook	Hanby	Nettles	Turnham
Cornett	Hankins	Nichols	Vickers

—92

Mr. Pierce offered the following substitute for the bill, H. 162, as amended:

Substitute for H. 162 as amended

A BILL
TO BE ENTITLED
AN ACT

To authorize and direct the Alabama Education Authority to allocate and distribute for certain purposes the earnings or income from the invest-

ment of that part of the proceeds of its bonds not currently needed for the purpose for which such bonds were issued.

Be It Enacted by the Legislature of Alabama:

Section 1. The Alabama Education Authority established under Act No. 126, H. 15, Second Special Session 1959, is hereby authorized and directed to allocate and distribute to the Alabama Industrial School for Negro Children, as established and operated under Act No. 522, S. 107, Regular Session 1947, the sum of two hundred fifty thousand dollars, to be paid out of any funds in the state treasury to the credit of such Authority heretofore or hereafter accruing from earnings or income from the investment of that part of the proceeds of any bonds issued by it which could not be immediately applied to the purpose for which such bonds were issued, and the remainder of such earnings or income, after provision has been made for the payment of the operating expenses of the Authority, shall be apportioned among the county and city boards of education in the state on a teacher unit basis, in the same manner that minimum program funds are distributed.

Section 2. The Alabama Building Commission and the Alabama Education Authority shall each have the same powers and authority and shall perform the same duties relative to the use of funds distributed pursuant to this Act as they have relative to funds distributed pursuant to said Act No. 126, H. 15, Second Special Session 1959.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Branyon the substitute offered by Mr. Pierce for the bill, H. 162, as amended, was laid upon the table.

Yeas 46; Nays 41.

Yeas:

Messrs.	Cates	Johnston (Leonard)	Powell
Albea	Chambers	Jones (Monroe)	Ramey
Avery	Daniel	Lee	Ray
Barnett	Dunn	McClendon (Chambers)	Shumate
Bassett	Gilmer	McCorquodale	Smith (St. Clair)
Bishop	Glass	McLendon (Bullock)	Solomon
Branyon	Grant	Martin	Sorrell
Brewer	Grouby	Meade	Speaks
Britton	Hankins	Merrill	Steagall
Broadfoot	Hearn	Nettles	Sullivan
Brooks	Jenkins	Oakley	Taylor
Cabiness	Johnson (Hardaway)	Perry	

—46

Nays:

Mr. Speaker	Bailey	Callahan	Copeland
Adams	Brannan	Camp	Cornett

Dickson	Goldthwaite	Locke	Reynolds (Chambers)
Dodd	Goodwyn	Long (Perry)	Roberts
Edwards	Gordon	Morrow	Rogers (Macon)
Engel	Gross	Murphy	Rogers (Mobile)
Faulk	Hanby	Nichols	Sessions
Ferguson	Harris	Owens	Turner
Ford	Harvey	Pierce	Turnham
Franklin	Ingram	Rast	Vickers
Gilchrist			

—41

Mr. Speaks offered the following amendment to the bill, H. 162, as amended:

Amendment to H. B. 162 as amended

In Section 1, add at the end thereof the following sentence:

"It is expressly provided, however, that the money distributed to Chilton County by the Authority shall be used for the purpose of construction and/or operation of a trade School in Chilton County, Alabama.

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dickson	Jenkins	Perry
Adams	Dodd	Johnson (Hardaway)	Powell
Albea	Dunn	Johnston (Leonard)	Ramey
Avery	Edwards	Jones (Covington)	Rast
Barnett	Engel	Jones (Monroe)	Ray
Bassett	Faulk	Lee	Reynolds (Chambers)
Bevill	Ford	Locke	Roberts
Brannan	Gilmer	Long (Lauderdale)	Rogers (Macon)
Brewer	Glass	Long (Perry)	Rogers (Mobile)
Britton	Goldthwaite	McClendon (Chambers)	Salter
Broadfoot	Gordon	McCorquodale	Sessions
Brooks	Grant	McLendon (Bullock)	Smith (St. Clair)
Cabiness	Gross	Martin	Solomon
Callahan	Grouby	Meade	Sorrell
Camp	Guthrie	Merrill	Speaks
Casey	Hain	Morrow	Steagall
Cates	Hardy	Murphy	Sullivan
Chambers	Harris	Nettles	Taylor
Cook	Harvey	Nichols	Thomas
Copeland	Hawkins	Oakley	Turner
Daniel	Hearn	Owens	Turnham

—84

Mr. Oden moved to postpone further consideration of the bill, H. 162, as amended, until 2:00 o'clock this afternoon.

The substitute motion of Mr. Branyon to temporarily postpone further consideration of the bill, H. 162, as amended, was adopted.

Yeas 86; Nays 4.

Yeas:

Mr. Speaker	Dickson	Hearn	Pierce
Adams	Dodd	Ingram	Ramey
Avery	Dunn	Jenkins	Ray
Bailey	Edwards	Johnson (Hardaway)	Reynolds (Chambers)
Barnett	Engel	Johnston (Leonard)	Roberts
Bassett	Faulk	Jones (Monroe)	Rogers (Macon)
Bevill	Ford	Lee	Rogers (Mobile)
Bishop	Gilchrist	Locke	Salter
Brannan	Gilmer	Long (Perry)	Sessions
Brewer	Glass	McClendon (Chambers)	Shumate
Britton	Goldthwaite	McLendon (Bullock)	Smith (Russell)
Brooks	Goodwyn	Martin	Smith (St. Clair)
Cabiness	Gordon	Meade	Solomon
Callahan	Grant	Merrill	Sorrell
Camp	Gross	Murphy	Speaks
Casey	Grouby	Nettles	Steagall
Cates	Hanby	Nichols	Sullivan
Chambers	Hankins	Oakley	Taylor
Cook	Hardy	Oden	Turner
Copeland	Harris	Owens	Turnham
Cornett	Harvey	Perry	Vickers
Daniel	Hawkins		

—86

Nays:

Messrs.	Branyon	Long (Lauderdale)	Powell
Albea			

—4

RESOLUTION

The following resolution was introduced:

By Messrs. Hanby, Engel, Rogers (Mobile) and Murphy.

H. J. R. 42. WHEREAS, the Legislature of the State of Alabama is conscious of the extreme difficulty being experienced in the marketing and sale of crude oil produced in the Citronelle oil field; and,

WHEREAS, the Legislature considers that a dire emergency exists which is directly affecting the state of Alabama, the Town of Citronelle and the citizens of Alabama due to the inadequate market now being experienced for the sale of the crude oil so produced; and,

WHEREAS, the Legislature of this state has attempted, by the revision of the state oil and gas laws, commensurate with good conservation practices, to cooperate fully with the oil industry in promoting a favorable climate for the exploration, production, and sale of oil and gas produced and recovered in our state; and,

WHEREAS, there are thousands of citizens of Alabama who are owners of royalty interest in the Citronelle field and many more citizens who are indirectly interested in the successful operation and development of said field; and,

WHEREAS, the Legislature considers it a definite concern to the State of Alabama and its citizens worthy of note and consideration by this body,

that such difficulty in marketing is being experienced in the sale of crude oil produced in the Citronelle field and is anxious and desires that such condition be remedied at the earliest possible date and that an adequate and satisfactory market for the oil produced be made available; and,

WHEREAS, the present total production of crude oil in our state amounts to only one-fifth of the total amount of refined oil products purchased and consumed by the citizens of our state which fact alone should justify purchase by the oil industry of the total crude oil produced in our state; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That the oil industry is hereby called upon to take such action as necessary to create a satisfactory and healthy marketing program for the purchase, on a consistent plan, of the crude oil produced in the Citronelle field and to assure this body and the state and citizens thereof of its desire and intent to cooperate fully in such endeavor which shall be to the benefit of all.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to all refineries whose products are marketed and sold in the State of Alabama.

On motion of Mr. Hanby the rules were suspended and H.J.R. 42 was adopted.

REPORT OF COMMITTEE OF CONFERENCE ON SB 29

The Committee of Conference on the bill, SB 29, met, considered the disagreement between the two houses, and recommend:

That the bill as amended by the House be further amended as follows:

Strike out Section 2 of the bill entirely and insert in lieu thereof a new Section 2 to read:

Section 2. An election upon the proposed amendment is ordered to be held on the date of the general election next succeeding the final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

That the bill as thus amended be passed.

Respectfully submitted,

A. C. SHELTON

DOUGLAS WEBB

ROBERT R. BERRYMAN

Conferees of the Senate

IRA D. PRUITT

JAMES A. BRANYON, II

CHARLES LONG

Conferees of the House

CONFERENCE COMMITTEE REPORT ADOPTED

Mr. Pruitt moved that the House concur in and adopt the Report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 29, said report being set out in the above and foregoing Report of the Committee of Conference.

MOTION IN WRITING

Mr. Goodwyn offered the following Motion in Writing:

Mr. Speaker:

I do now move that the report of the Conference Committee on Senate bill 29, as amended by the House, shall lay on the Clerks desk and receive two additional readings on separate legislative days as required by the Constitution of Alabama of 1901.

The Speaker ruled the Motion in Writing offered by Mr. Goodwyn was out of order.

The question was then on the motion of Mr. Pruitt that the House concur in and adopt the Report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 29, and said motion was adopted.

Yeas 72; Nays 10.

Yeas:

Mr. Speaker	Daniel	Ingram	Ramey
Adams	Dickson	Jenkins	Ray
Albea	Dodd	Johnson (Hardaway)	Reynolds (Chambers)
Avery	Dunn	Johnston (Leonard)	Roberts
Barnett	Faulk	Jones (Covington)	Rogers (Macon)
Bassett	Ford	Jones (Monroe)	Salter
Bevill	Franklin	Lee	Shumate
Bishop	Gilchrist	Long (Perry)	Smith (Russell)
Brannan	Gilmer	McClendon (Chambers)	Smith (St. Clair)
Branyon	Glass	McCorquodale	Sorrell
Britton	Gordon	McLendon (Bullock)	Speaks
Brooks	Grant	Martin	Steagall
Cabiness	Grouby	Meade	Sullivan
Casey	Guthrie	Nettles	Taylor
Cates	Hanby	Oakley	Thomas
Chambers	Hankins	Oden	Turner
Cook	Harvey	Owens	Turnham
Cornett	Hearn	Powell	Vickers

—72

Nays:

Messrs.	Ferguson	Locke	Rast
Copeland	Gross	Morrow	Sessions
Edwards	Hawkins	Perry	

—10

MOTION IN WRITING

Mr. Goodwyn offered the following Motion in Writing:

Mr. Speaker:

I do now move that Senate bill 29, as amended by the House and as further amended by the Conference Committee, shall lay on the clerks desk for two additional legislative days and receive two additional readings, as required by Sec. 284 of the Constitution of Alabama of 1901.

The Speaker ruled the Motion in Writing offered by Mr. Goodwyn was out of order.

DEMAND IN WRITING

Mr. Goodwyn offered the following Demand in Writing:

Mr. Speaker:

I do hereby demand that Senate bill 29 as amended by house and as further amended by the Conference Committee on said bill shall lay on the clerks desk and receive two add. Readings

And the Demand in Writing offered by Mr. Goodwyn was lost.

Yeas 26; Nays 59.

Yeas:

Messrs.	Edwards	Hanby	Pierce
Bailey	Engel	Harris	Rast
Bishop	Ferguson	Hawkins	Roberts
Brewer	Gilchrist	Jones (Covington)	Rogers (Mobile)
Broadfoot	Goldthwaite	Morrow	Sessions
Callahan	Goodwyn	Murphy	Turner
Copeland	Hain	Perry	

—26

Nays:

Mr. Speaker	Daniel	Jenkins	Ramey
Adams	Dickson	Johnson (Hardaway)	Ray
Albea	Dodd	Jones (Monroe)	Reynolds (Chambers)
Avery	Dunn	Lee	Rogers (Macon)
Barnett	Faulk	Long (Perry)	Salter
Bassett	Ford	McClendon (Chambers)	Smith (Russell)
Brannan	Franklin	McCorquodale	Solomon
Branyon	Gilmer	McLendon (Bullock)	Sorrell
Britton	Glass	Martin	Speaks
Brooks	Gordon	Meade	Sullivan
Cabiness	Grant	Merrill	Taylor
Casey	Grouby	Nettles	Thomas
Cates	Hankins	Oakley	Turnham
Cook	Harvey	Oden	Vickers
Cornett	Ingram	Powell	

—59

And said bill:

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

As amended by the Report of the Committee of Conference, was again read at length and passed.

Yeas 65; Nays 27.

Yeas:

Mr. Speaker	Dodd	Johnson (Hardaway)	Ramey
Adams	Dunn	Johnston (Leonard)	Ray
Avery	Faulk	Jones (Covington)	Reynolds (Chambers)
Barnett	Ford	Jones (Monroe)	Rogers (Macon)
Bassett	Franklin	Lee	Salter
Bevill	Gilmer	Long (Perry)	Shumate
Brannan	Glass	McClendon (Chambers)	Smith (Russell)
Branyon	Gordon	McCorquodale	Smith (St. Clair)
Britton	Grant	McLendon (Bullock)	Solomon
Brooks	Grouby	Martin	Sorrell
Casey	Guthrie	Meade	Sullivan
Cates	Hankins	Nettles	Taylor
Chambers	Harvey	Oakley	Thomas
Cook	Hearn	Owens	Turner
Cornett	Ingram	Powell	Turnham
Daniel	Jenkins	Pruitt	Vickers
Dickson			

—65

Nays:

Messrs.	Copeland	Gross	Oden
Albea	Edwards	Hanby	Perry
Bailey	Engel	Hawkins	Pierce
Bishop	Ferguson	Locke	Rast
Brewer	Gilchrist	Merrill	Roberts
Broadfoot	Goldthwaite	Morrow	Rogers (Mobile)
Camp	Goodwyn	Murphy	Sessions

—27

POINT OF PERSONAL PRIVILEGE

Mr. Oden requested as a matter of personal privilege that the Journal show that by mistake his voting machine got locked and showed his voting "nay" on the passage of the bill, S. 29, as amended by the Report of the Committee of Conference, and requested that the Journal show that he desired to vote "yea" on the passage of the bill.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Reynolds (Chambers):

H. R. 43. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, that

WHEREAS, a great North Alabama newspaper supported a gubernatorial candidate and the results are history, and

WHEREAS, a great North Alabama newspaper supported a Lt. Governor candidate and the results are history, and

WHEREAS, a great North Alabama newspaper supported an Attorney General candidate and the results are history

THEREFORE BE IT RESOLVED, that this body would be very appreciative if this great organ of the news would strongly consider publicly opposing S. B. 29.

On motion of Mr. Reynolds (Chambers) the rules were suspended and H. R. 43 was adopted.

Also:

By Messrs. Sessions, Perry, Morrow, Hawkins, Rast, Locke and Edwards:

H. J. R. 44. Whereas, the recent illness of Hugh Sparrow, the respected dean of capitol pundits, has occasioned his temporary absence from these halls and his presence is keenly missed by his host of friends in both houses of this Legislature, now therefore BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That we extend to Hugh Sparrow our sincere best wishes and Godspeed for rapid and complete recovery to the end that we and the people of this State may again soon have the benefit of his keen observations and criticisms of this body politic.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Hugh Sparrow.

On motion of Mr. Sessions the rules were suspended and H. J. R. 44 was adopted.

Also:

By Messrs. Bassett and Sorrell:

H. J. R. 45. Whereas, on the afternoon of May 22, 1962 an armed man brazenly attempted to rob the Commercial Bank of Ozark, Alabama, and when foiled in his effort to obtain the bank's cash, in cold blood shot and killed the Vice President of the bank and a young teller in the bank before making his escape;

Whereas, all law enforcement officers, state, county and municipal in Ozark and the surrounding territory were alerted and quickly mobilized to track down this desperado;

Whereas, among the officers who joined the posse attempting to apprehend and arrest this dangerous criminal was the Assistant Chief of Police of the City of Troy, Alabama, Gene Hayden Youngblood;

Whereas, Officer Youngblood, spotted this heavily armed bandit as he was approaching a rural store, usually managed by a lady, and without thought for his own safety he rushed into this store to protect this woman, and was there gunned to death by the robber; and

Whereas, Officer Youngblood went far beyond the usual call of duty of a municipal police officer in his heroic effort to protect this woman in a rural store, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING,

That the Legislature of Alabama acclaims the heroic action of Officer Youngblood in risking and losing his own life in an effort to save this woman store-keeper, and memorializes the Carnegie Hero Fund Commission to consider Gene Hayden Youngblood for one of its awards for heroism.

Be It Further Resolved, That the Clerk of the House is hereby directed to transmit a copy of this resolution to the Carnegie Hero Fund Commission, 2307 Oliver Building, Philadelphia, Pennsylvania, and also a copy thereof to Mr. Youngblood's widow at Troy, Alabama.

On motion of Mr. Bassett the rules were suspended and H. J. R. 45 was adopted.

Also:

By Mr. Harris:

H. J. R. 46. Be It Resolved By The House of Representatives, the Senate Concurring, that when the two Houses adjourn today, they adjourn to meet Friday July 13th, and that when they adjourn Friday the adjourn to meet Tuesday July 17th.

The motion of Mr. Harris to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 46 was lost.

Yeas 31; Nays 45.

Yeas:

Messrs.	Cabiness	Gross	Murphy
Adams	Cates	Hankins	Owens
Albea	Cook	Harris	Reynolds (Chambers)
Bishop	Dickson	Harvey	Rogers (Macon)
Brannan	Dodd	Johnson (Hardaway)	Shumate
Britton	Dunn	Johnston (Leonard)	Sorrell
Broadfoot	Ferguson	Jones (Covington)	Speaks
Brooks	Gordon	Long (Lauderdale)	Sullivan

—31

Nays:

Mr. Speaker	Gilchrist	McCorquodale	Rast
Avery	Gilmer	McLendon (Bullock)	Ray
Bailey	Goldthwaite	Martin	Roberts
Bassett	Goodwyn	Merrill	Smith (Russell)
Brewer	Grant	Morrow	Solomon
Casey	Hardy	Oakley	Steagall
Chambers	Hawkins	Perry	Taylor
Copeland	Ingram	Pierce	Thomas
Cornett	Lee	Powell	Turner
Daniel	Locke	Pruitt	Turnham
Faulk	McClendon (Chambers)	Ramey	Vickers
Ford			

—45

And said resolution H. J. R. 46 was read and referred to the Standing Committee on Rules.

CONSIDERATION OF H. 162, AS AMENDED, RESUMED

H. 162. To authorize and direct the Alabama Education Authority to allocate and distribute a part of the earnings or income from the investment of that part of the proceeds of bonds, issued by said Authority under Act No. 126, H. 15, Second Special Session 1959 (Acts 1959, p. 369), not currently needed for the purpose for which such bonds were issued, to the board of trustees of the junior college located in Franklin County; to the county board of education of Tallapoosa County; and to the Alabama Industrial School for Negro Children; and to provide for the use of such money for school building purposes at each of the above named schools upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959 Second Special Session, p. 369.

As amended, was again taken up.

Messrs. Beville and Shumate offered the following amendment to the bill, H. 162, as amended:

Amend House Bill 162 as substituted and amended by adding the following:

All funds received by the Walker County Board of Education under the provisions of this act shall be allocated and used by the Walker County High School Technical Education Unit for its operation, maintenance and purchase of equipment and supplies and shall be used for no other purpose.

And the amendment was adopted.

Yeas 88; Nays 1.

Yeas:

Mr. Speaker	Dickson	Hawkins	Perry
Adams	Dodd	Hearn	Pierce
Albee	Dunn	Ingram	Powell
Avery	Edwards	Jenkins	Pruitt
Bailey	Engel	Johnson (Hardaway)	Ramey
Barnett	Faulk	Jones (Monroe)	Rast
Bassett	Ferguson	Locke	Ray
Beville	Ford	Long (Lauderdale)	Roberts
Bishop	Franklin	Long (Perry)	Rogers (Macon)
Brannan	Gilmer	McClendon (Chambers)	Rogers (Mobile)
Branyon	Glass	McCorquodale	Salter
Brewer	Goldthwaite	McLendon (Bullock)	Sessions
Britton	Goodwyn	Martin	Shumate
Brooks	Gordon	Meade	Smith (Russell)
Cabiness	Grant	Merrill	Smith (St. Clair)
Callahan	Gross	Morrow	Solomon
Casey	Grouby	Murphy	Sorrell
Cates	Guthrie	Nettles	Speaks
Chambers	Hain	Nichols	Steagall
Cook	Hankins	Oakley	Sullivan
Copeland	Hardy	Oden	Turner
Daniel	Harvey	Owens	Turnham

—88

Nay:

Mr. Camp

—1

MOTION TO RECESS LOST

The motion of Mr. Turnham that the House recess until 2:30 o'clock this afternoon was lost.

Yeas 43; Nays 52.

Yeas:

Mr. Speaker	Daniel	Harris	Oden
Adams	Dunn	Harvey	Owens
Albea	Engel	Hawkins	Pierce
Bailey	Faulk	Ingram	Pruitt
Brannan	Franklin	Johnson (Hardaway)	Roberts
Broadfoot	Gilchrist	Long (Lauderdale)	Rogers (Mobile)
Callahan	Glass	McLendon (Bullock)	Smith (Russell)
Casey	Goldthwaite	Martin	Smith (St. Clair)
Cates	Goodwyn	Meade	Solomon
Copeland	Gordon	Merrill	Turnham
Cornett	Grant	Murphy	

—43

Nays:

Messrs.	Dodd	Jones (Monroe)	Rast
Barnett	Edwards	Lee	Ray
Bassett	Ferguson	Locke	Rogers (Macon)
Bevill	Ford	Long (Perry)	Salter
Bishop	Gilmer	McClendon (Chambers)	Sessions
Branyon	Gross	McCorquodale	Shumate
Brewer	Grouby	Morrow	Sorrell
Britton	Guthrie	Nettles	Speaks
Brooks	Hain	Nichols	Steagall
Cabiness	Hankins	Oakley	Sullivan
Camp	Hardy	Perry	Thomas
Chambers	Jenkins	Powell	Turner
Cook	Jones (Covington)	Ramey	Vickers
Dickson			

—52

CONSIDERATION OF H. 162, AS AMENDED, RESUMED

H. 162. To authorize and direct the Alabama Education Authority to allocate and distribute a part of the earnings or income from the investment of that part of the proceeds of bonds, issued by said Authority under Act No. 126, H. 15, Second Special Session 1959 (Acts 1959, p. 369), not currently needed for the purpose for which such bonds were issued, to the board of trustees of the junior college located in Franklin County; to the county board of education of Tallapoosa County; and to the Alabama Industrial School for Negro Children; and to provide for the use of such money for school building purposes at each of the above named schools upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959 Second Special Session, p. 369.

As amended, was again taken up.

Mr. Hankins offered the following amendment to the bill, H. 162, as amended:

Amend H. B. 162 as Substituted by adding to Section 1 the following:

Section 1: Any funds appropriated to the Counties of Lamar and Lawrence under the provisions of this act shall be used exclusively for the purchase of new and additional school buses.

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hearn	Perry
Adams	Dickson	Ingram	Powell
Albea	Dodd	Jenkins	Pruitt
Avery	Dunn	Johnson (Hardaway)	Ramey
Barnett	Edwards	Jones (Monroe)	Rast
Bassett	Engel	Lee	Ray
Bevill	Ferguson	Locke	Roberts
Bishop	Ford	Long (Lauderdale)	Rogers (Macon)
Brannan	Franklin	Long (Perry)	Rogers (Mobile)
Branyon	Gilchrist	McClendon (Chambers)	Salter
Brewer	Gilmer	McCorquodale	Sessions
Britton	Glass	McLendon (Bullock)	Shumate
Brooks	Goldthwaite	Martin	Smith (Russell)
Cabiness	Gordon	Merrill	Solomon
Callahan	Grant	Morrow	Sorrell
Camp	Gross	Murphy	Speaks
Casey	Grouby	Nettles	Steagall
Cates	Guthrie	Nichols	Sullivan
Chambers	Hain	Oakley	Thomas
Cook	Hankins	Oden	Turner
Copeland	Hardy	Owens	Turnham
Cornett	Harris		

—86

Mr. Pierce offered the following substitute for the bill, H. 162, as amended:

Substitute for H. 162 as amended:

A BILL TO BE ENTITLED AN ACT

To authorize and direct the Alabama Education Authority to allocate and distribute for certain purposes the earnings or income from the investment of that part of the proceeds of its bonds not currently needed for the purpose for which such bonds were issued.

Be It Enacted by the Legislature of Alabama:

Section 1. The Alabama Education Authority established under Act No. 126, H. 15, Second Special Session 1959, is hereby authorized and directed to allocate and distribute to the Alabama Industrial School for Negro Children, as established and operated under Act No. 522, S. 107, Regular Session 1947, the sum of two hundred fifty thousand dollars, to be paid out of any funds in the state treasury to the credit of such Authority heretofore or hereafter accruing from earnings or income from the invest-

ment of that part of the proceeds of any bonds issued by it which could not be immediately applied to the purpose for which such bonds were issued, and the remainder of such earnings or income, after provision has been made for the payment of the operating expenses of the Authority, shall be apportioned equally among the 67 counties of the state, to be used and expended by the county board of education for school building construction and other educational purposes.

Section 2. The Alabama Building Commission and the Alabama Education Authority shall each have the same powers and authority and shall perform the same duties relative to the use of funds distributed pursuant to this Act as they have relative to funds distributed pursuant to said Act No. 126, H. 15, Second Special Session 1959.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Branyon the substitute offered by Mr. Pierce for the bill, H. 162, as amended, was laid upon the table.

Yeas 57; Nays 36.

Yeas:

Mr. Speaker	Dickson	Johnston (Leonard)	Owens
Albea	Dunn	Jones (Monroe)	Perry
Avery	Ford	Lee	Powell
Barnett	Franklin	Locke	Ramey
Bassett	Glass	McClendon (Chambers)	Ray
Bishop	Gordon	McCorquodale	Salter
Branyon	Grant	McLendon (Bullock)	Shumate
Britton	Gross	Martin	Smith (Russell)
Broadfoot	Grouby	Meade	Sorrell
Brooks	Hankins	Merrill	Speaks
Cabiness	Harris	Morrow	Steagall
Cates	Hearn	Nettles	Sullivan
Cook	Jenkins	Oakley	Taylor
Cornett	Johnson (Hardaway)	Oden	Thomas
Daniel			

—57

Nays:

Messrs.	Dodd	Hain	Rast
Adams	Edwards	Hardy	Reynolds (Chambers)
Bailey	Engel	Harvey	Roberts
Bevill	Ferguson	Ingram	Rogers (Macon)
Brannan	Gilchrist	Jones (Covington)	Rogers (Mobile)
Brewer	Gilmer	Long (Perry)	Sessions
Callahan	Goldthwaite	Murphy	Solomon
Camp	Goodwyn	Nichols	Turner
Casey	Guthrie	Pierce	Vickers
Copeland			

—36

Mr. Broadfoot offered the following amendment to the bill, H. 162, as amended:

Amend the substitute for HB 162 as follows:

Add to the substitute the following:

Provided, however, that the monies allocated to Lauderdale County shall be divided among all schools plants in the Lauderdale County school system on a teacher unit basis.

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dodd	Hawkins	Perry
Adams	Dunn	Hearn	Powell
Avery	Edwards	Ingram	Pruitt
Barnett	Engel	Jenkins	Ramey
Bassett	Ferguson	Jones (Covington)	Ray
Bevill	Ford	Jones (Monroe)	Roberts
Bishop	Franklin	Locke	Rogers (Macon)
Brannan	Gilchrist	Long (Lauderdale)	Rogers (Mobile)
Branyon	Gilmer	Long (Perry)	Salter
Brewer	Glass	McClendon (Chambers)	Sessions
Britton	Goldthwaite	McCorquodale	Shumate
Broadfoot	Goodwyn	McLendon (Baileys)	Smith (Russell)
Brooks	Gordon	Martin	Solomon
Cabiness	Grant	Meade	Sorrell
Callahan	Gross	Merrill	Speaks
Camp	Grouby	Morrow	Steagall
Cates	Guthrie	Murphy	Sullivan
Cook	Hain	Nettles	Taylor
Copeland	Hankins	Nichols	Thomas
Cornett	Hardy	Oakley	Turner
Daniel	Harris	Oden	Turnham
Dickson	Harvey	Owens	

—87

Messrs. Reynolds (Chambers) and McClendon (Chambers) offered the following amendment to the bill, H. 162, as amended:

Amend H. B. 162 by inserting the following paragraph after paragraph 5 of Section 1 thereof:

The total amount of money received by Chambers County be given to the Valley High School of Fairfax, Alabama.

And the amendment was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Avery	Barnett	Bevill
Albee	Bailey	Bassett	Bishop

Brannan	Ford	Jenkins	Powell
Branyon	Franklin	Jones (Covington)	Ramey
Brewer	Gilchrist	Lee	Ray
Britton	Gilmer	Locke	Reynolds (Chambers)
Broadfoot	Glass	Long (Perry)	Roberts
Brooks	Goldthwaite	McClendon (Chambers)	Rogers (Macon)
Cabiness	Gordon	McLendon (Bullock)	Salter
Camp	Grant	Martin	Sessions
Cates	Gross	Meade	Shumate
Chambers	Grouby	Merrill	Smith (Russell)
Cook	Guthrie	Morrow	Solomon
Copeland	Hain	Murphy	Sorrell
Daniel	Hankins	Nettles	Speaks
Dickson	Hardy	Nichols	Steagall
Dodd	Harris	Oakley	Sullivan
Dunn	Hawkins	Oden	Taylor
Edwards	Hearn	Perry	Thomas
Engel	Ingram	Pierce	Turner
Ferguson			

—81

Messrs. Cabiness and Gross offered the following amendment to the bill, H. 162, as amended:

Amendment to H. B. 162 as amended

In Section 1, add at the end thereof the following sentence:

It is expressly provided, however, that the money distributed to Jackson County shall be used for the purpose of construction, equipping and/or operation of the Jackson-DeKalb Junior College and Trade School.

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hain	Oden
Adams	Daniel	Hankins	Powell
Albea	Dickson	Hardy	Ramey
Avery	Dodd	Harris	Ray
Bailey	Dunn	Hearn	Reynolds (Chambers)
Barnett	Edwards	Ingram	Rogers (Macon)
Bassett	Engel	Jenkins	Rogers (Mobile)
Bevill	Ferguson	Johnston (Leonard)	Salter
Bishop	Ford	Jones (Covington)	Sessions
Brannan	Franklin	Locke	Shumate
Branyon	Gilchrist	Long (Lauderdale)	Smith (Russell)
Brewer	Gilmer	Long (Perry)	Solomon
Britton	Glass	McClendon (Chambers)	Sorrell
Brooks	Goldthwaite	McLendon (Bullock)	Speaks
Cabiness	Gordon	Meade	Steagall
Camp	Grant	Morrow	Sullivan
Cates	Gross	Murphy	Taylor
Chambers	Grouby	Nettles	Turner
Copeland	Guthrie	Oakley	

—75

Mr. Vickers offered the following amendment to the bill, H. 162, as amended:

AMENDMENT TO H. B. 162 AS AMENDED

In section 1, add at the end thereof the following sentence:

"It is expressly provided, however, that the money distributed to Tallapoosa County by the Authority shall be used for the purpose of constructing a gymnasium for Edward Bell Negro School at Camp Hill, Alabama."

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Cornett	Ingram	Perry
Adams	Daniel	Jenkins	Pierce
Albea	Dickson	Johnson (Hardaway)	Powell
Bailey	Dunn	Jones (Covington)	Pruitt
Barnett	Edwards	Lee	Ramey
Bassett	Engel	Locke	Ray
Bevill	Ferguson	Long (Lauderdale)	Reynolds (Chambers)
Bishop	Ford	Long (Perry)	Rogers (Macon)
Brannan	Gilchrist	McClendon (Chambers)	Rogers (Mobile)
Branyon	Gilmer	McLendon (Bullock)	Salter
Brewer	Glass	Martin	Sessions
Britton	Gordon	Meade	Smith (Russeil)
Brooks	Grant	Merrill	Solomon
Cabiness	Grouby	Morrow	Sorrell
Callahan	Guthrie	Murphy	Steagall
Camp	Hain	Nettles	Sullivan
Cates	Hankins	Nichols	Taylor
Chambers	Harris	Oakley	Turner
Copeland	Hearn	Oden	Vickers

—76

Messrs. Ferguson and Callahan offered the following amendment to the bill, H. 162, as amended:

Amend H. B. 162 by adding the following paragraph after the last paragraph of Section 1 thereof:

Of the amount appropriated to the Tuscaloosa County Board of Education Five Thousand dollars (\$5,000.00) shall be for indoor plumbing at Taylorville Colored Elementary School in Tuscaloosa County, \$5,000 for the installation of the plumbing at the Holt High School Field House, and the remaining portion appropriated to the Tuscaloosa County Board of Education be applied toward the construction of and equipment for a kitchen at Goins Elementary School.

And the amendment was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dickson	Harvey	Pierce
Adams	Dodd	Hearn	Powell
Albea	Dunn	Jenkins	Pruitt
Avery	Edwards	Johnson (Hardaway)	Ramey
Bailey	Engel	Jones (Covington)	Rast
Barnett	Ferguson	Lee	Ray
Bassett	Ford	Locke	Rogers (Macon)
Bevill	Gilchrist	Long (Lauderdale)	Rogers (Mobile)
Bishop	Gilmer	Long (Perry)	Salter
Brannan	Glass	McClendon (Chambers)	Sessions
Branyon	Goldthwaite	McLendon (Bullock)	Shumate
Brewer	Goodwyn	Martin	Solomon
Britton	Gordon	Meade	Sorrell
Broadfoot	Grant	Merrill	Speaks
Brooks	Gross	Morrow	Steagall
Callahan	Grouby	Murphy	Sullivan
Camp	Guthrie	Nettles	Taylor
Cook	Hankins	Oakley	Thomas
Copeland	Hardy	Oden	Turner
Cornett	Harris	Perry	Vickers
Daniel			

—81

Mr. Johnston (Leonard) offered the following amendment to the bill, H. 162, as amended:

Amend H. B. 162 by inserting the following paragraph after paragraph 5 of Section 1 thereof:

The total amount received by the Elmore County board of Education be divided equally between Eclectic colored school and Millbrook white school for construction or maintenance.

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Daniel	Jenkins	Owens
Adams	Dickson	Johnson (Hardaway)	Powell
Albea	Dodd	Johnston (Leonard)	Pruitt
Avery	Dunn	Jones (Covington)	Ramey
Barnett	Edwards	Lee	Rast
Bassett	Engel	Locke	Ray
Bevill	Ferguson	Long (Lauderdale)	Rogers (Macon)
Bishop	Ford	Long (Perry)	Rogers (Mobile)
Brannan	Gilchrist	McClendon (Chambers)	Salter
Branyon	Gilmer	McLendon (Bullock)	Sessions
Brewer	Glass	Martin	Shumate
Britton	Goldthwaite	Meade	Solomon
Broadfoot	Grant	Merrill	Sorrell
Brooks	Gross	Morrow	Speaks
Cabiness	Grouby	Murphy	Steagall
Callahan	Hain	Nettles	Sullivan
Camp	Hankins	Nichols	Thomas
Cook	Hardy	Oakley	Turner
Copeland	Harvey	Oden	Vickers
Cornett	Ingram		

—78

Mr. Cates offered the following amendment to the bill, H. 162, as amended:

AMENDMENT TO H. B. 162 AS AMENDED

In Section 1, add at the end thereof the following sentence:

"It is expressly provided, however, that the money distributed by the Authority to Shelby County shall be used for the purpose of construction and/or the operation of a High School at Chelsea in Shelby County, Alabama."

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Dodd	Johnston (Leonard)	Powell
Adams	Dunn	Jones (Covington)	Pruitt
Albea	Edwards	Lee	Ramey
Bailey	Engel	Locke	Rast
Barnett	Ford	Long (Lauderdale)	Ray
Bassett	Gilchrist	Long (Perry)	Reynolds (Chambers)
Bevill	Gilmer	McClendon (Chambers)	Rogers (Macon)
Bishop	Glass	McLendon (Bullock)	Rogers (Mobile)
Brannan	Goldthwaite	Martin	Salter
Branyon	Goodwyn	Meade	Sessions
Brewer	Gordon	Merrill	Shumate
Britton	Grant	Morrow	Sorrell
Broadfoot	Gross	Murphy	Speaks
Brooks	Grouby	Nettles	Steagall
Cabiness	Hain	Nichols	Sullivan
Camp	Hardy	Oakley	Taylor
Cook	Harvey	Oden	Thomas
Cornett	Ingram	Owens	Turner
Daniel	Jenkins	Pierce	Vickers
Dickson	Johnson (Hardaway)		

—78

Mr. Franklin offered the following amendment to the bill, H. 162, as amended:

Amend House Bill 162 as follows:

All money received hereunder by Coosa County shall be allotted to the Hanna J. Mallory Negro School in Goodwater.

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Avery	Bassett	Brannan
Adams	Bailey	Bevill	Branyon
Albea	Barnett	Bishop	Brewer

Britton	Gilmer	Long (Perry)	Rast
Broadfoot	Glass	McClendon (Chambers)	Ray
Brooks	Goldthwaite	McLendon (Bullock)	Roberts
Cabiness	Goodwyn	Martin	Rogers (Macon)
Camp	Grant	Meade	Rogers (Mobile)
Cates	Gross	Merrill	Salter
Cook	Hain	Morrow	Sessions
Cornett	Hankins	Murphy	Shumate
Daniel	Hardy	Nettles	Sorrell
Dickson	Harvey	Nichols	Speaks
Dodd	Ingram	Oakley	Steagall
Dunn	Johnson (Hardaway)	Oden	Sullivan
Edwards	Johnston (Leonard)	Owens	Taylor
Engel	Jones (Covington)	Pierce	Thomas
Ferguson	Lee	Powell	Turner
Ford	Locke	Pruitt	Vickers
Gilchrist	Long (Lauderdale)	Ramey	

—79

Mr. Harris offered the following amendment to the bill, H. 162, as amended:

Amendment to H. B. 162 as amended

In Section 1 add at the end thereof the following sentence:

It is expressly provided, however, that the money distributed to DeKalb County shall be used for the purpose of construction, equipping, and/or operation of the Jackson-DeKalb Junior College and Trade School.

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harris	Oden
Adams	Dickson	Hawkins	Perry
Albea	Dodd	Hearn	Powell
Bailey	Dunn	Ingram	Pruitt
Barnett	Edwards	Jenkins	Ramey
Bassett	Engel	Johnson (Hardaway)	Rast
Bevill	Ferguson	Johnston (Leonard)	Ray
Bishop	Ford	Jones (Covington)	Roberts
Brannan	Franklin	Lee	Rogers (Macon)
Branyon	Gilchrist	Locke	Rogers (Mobile)
Brewer	Glass	Long (Perry)	Salter
Britton	Goldthwaite	McClendon (Chambers)	Sessions
Broadfoot	Gordon	McLendon (Bullock)	Shumate
Brooks	Grant	Martin	Speaks
Cabiness	Gross	Merrill	Steagall
Callahan	Grouby	Morrow	Sullivan
Camp	Guthrie	Murphy	Taylor
Cates	Hain	Nettles	Thomas
Cook	Hankins	Nichols	Turner
Cornett	Hardy	Oakley	

—79

Messrs. Smith (Russell) and Cornett offered the following amendment to the bill, H. 162, as amended:

AMENDMENT TO SUBSTITUTE FOR H. B. 162 AS AMENDED

Any monies allocated under this Act to Russell County shall be divided between the school systems in Russell County on the teacher unit basis for the year 1961-1962 as funds are now allocated by the State Department of Education of Alabama for Russell County, Alabama.

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hawkins	Pierce
Adams	Dodd	Hearn	Powell
Albea	Dunn	Ingram	Ramey
Avery	Edwards	Jenkins	Rast
Bailey	Engel	Johnson (Hardaway)	Ray
Barnett	Ferguson	Johnston (Leonard)	Reynolds (Chambers)
Bassett	Ford	Jones (Covington)	Roberts
Bevill	Franklin	Lee	Rogers (Macon)
Bishop	Gilchrist	Long (Lauderdale)	Rogers (Mobile)
Brannan	Gilmer	Long (Perry)	Salter
Branyon	Glass	McClendon (Chambers)	Sessions
Brewer	Goldthwaite	McLendon (Bullock)	Shumate
Britton	Goodwyn	Martin	Smith (Russell)
Broadfoot	Gordon	Meade	Sorrell
Brooks	Grant	Merrill	Speaks
Cabiness	Gross	Murphy	Steagall
Camp	Gronby	Nettles	Sullivan
Cates	Guthrie	Nichols	Taylor
Cook	Hain	Oakley	Thomas
Copeland	Hankins	Oden	Turner
Cornett	Hardy	Owens	Vickers
Daniel	Harris		

—86

Messrs. Perry and Locke offered the following amendment to the bill, H. 162, as amended:

AMENDMENT TO H. 162, AS AMENDED

Provided further that any monies herein appropriated for use in Jefferson County will be placed by the County Superintendent at interest in a bank in the City of Birmingham and will be paid by him, in his discretion, to aid and assist any school children in any school system in Jefferson County to obtain an education in the event of their school being closed.

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Bailey	Bishop	Broadfoot
Adams	Barnett	Brannan	Brooks
Albea	Bassett	Branyon	Cabiness
Avery	Bevill	Britton	Callahan

Camp	Grant	Long (Lauderdale)	Ray
Cates	Gross	Long (Perry)	Reynolds (Chambers)
Copeland	Grouby	McClendon (Chambers)	Rogers (Macon)
Cornett	Guthrie	McLendon (Bullock)	Rogers (Mobile)
Daniel	Hain	Martin	Salter
Dickson	Hankins	Meade	Sessions
Dodd	Hardy	Merrill	Shumate
Dunn	Harvey	Morrow	Solomon
Edwards	Hawkins	Nettles	Sorrell
Engel	Hearn	Nichols	Speaks
Ferguson	Ingram	Oakley	Steagall
Ford	Jenkins	Oden	Sullivan
Franklin	Johnson (Hardaway)	Owens	Taylor
Gilchrist	Johnston (Leonard)	Perry	Thomas
Gilmer	Jones (Covington)	Pierce	Turner
Glass	Lee	Powell	Turnham
Goldthwaite	Locke	Ramey	Vickers
Gordon			

—85

Mr. Jones (Covington) offered the following amendment to the bill, H. 162, as amended:

AMENDMENT TO H. 162 AS AMENDED

In Section 1, add the following sentence:

Except as herein specifically provided otherwise,

In counties where there are city school systems any funds going to such county shall be divided between the county board of education and the city board or boards of education on a teacher unit basis.

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hanby	Morrow
Adams	Daniel	Hankins	Nettles
Albea	Dickson	Hardy	Nichols
Avery	Dodd	Harris	Oakley
Bailey	Dunn	Harvey	Oden
Barnett	Edwards	Hawkins	Owens
Bassett	Engel	Hearn	Perry
Bevill	Ferguson	Ingram	Pierce
Bishop	Ford	Jenkins	Powell
Brannan	Franklin	Johnson (Hardaway)	Pruitt
Branyon	Gilchrist	Johnston (Leonard)	Ramey
Brewer	Gilmer	Jones (Covington)	Rast
Britton	Glass	Jones (Monroe)	Ray
Broadfoot	Goldthwaite	Lee	Rogers (Macon)
Brooks	Goodwyn	Long (Perry)	Rogers (Mobile)
Cabiness	Gordon	McClendon (Chambers)	Salter
Callahan	Grant	McCorquodale	Sessions
Camp	Gross	McLendon (Bullock)	Shumate
Cates	Grouby	Martin	Smith (Russell)
Cook	Guthrie	Meade	Solomon
Copeland	Hain	Merrill	Sorrell

Speaks
Steagall

Sullivan
Taylor

Thomas
Turner

Turnham
Vickers

—92

And said bill, H. 162, as amended, was then read a third time at length and passed.

Yeas 81; Nays 17.

Yeas:

Mr. Speaker	Dickson	Hearn	Pierce
Adams	Dodd	Ingram	Powell
Avery	Dunn	Jenkins	Pruitt
Bailey	Ferguson	Johnson (Hardaway)	Ramey
Barnett	Ford	Johnston (Leonard)	Ray
Bassett	Franklin	Jones (Covington)	Reynolds (Chambers)
Bevill	Gilchrist	Jones (Monroe)	Rogers (Macon)
Bishop	Gilmer	Lee	Salter
Brannan	Glass	Long (Lauderdale)	Shumate
Branyon	Goodwyn	Long (Perry)	Smith (Russell)
Britton	Gordon	McClendon (Chambers)	Solomon
Broadfoot	Grant	McCorquodale	Sorrell
Brooks	Gross	McLendon (Bullock)	Speaks
Cabiness	Grouby	Martin	Steagall
Callahan	Guthrie	Meade	Sullivan
Camp	Hain	Nettles	Taylor
Casey	Hankins	Nichols	Thomas
Cates	Hardy	Oakley	Turner
Cook	Harris	Oden	Turnham
Cornett	Harvey	Owens	Vickers
Daniel			

—81

Nays:

Messrs.	Engel	Merrill	Rast
Albea	Goldthwaite	Morrow	Roberts
Brewer	Hanby	Murphy	Rogers (Mobile)
Copeland	Hawkins	Perry	Sessions
Edwards	Locke		

—17

RESOLUTION

The following resolution was introduced:

By Messrs. Cabiness, Ferguson, Speaks, Jones (Covington), Dodd, Broadfoot and Smith (St. Clair):

H. J. R. 47. BE IT RESOLVED by the House of Representatives and Senate concurring, that there is hereby established a joint Legislative Committee consisting of nine (9) members of the House of Representatives elected by the membership of the House and six (6) members of the Senate to be appointed by the presiding officer thereof.

The Attorney General of the State of Alabama shall be an ex officio member of this Committee and shall furnish legal assistance and the facilities of his office in their work.

The members of the Committee shall receive the same allowances and per diem expenses as provided for the members of the Legislature.

The Committee may hold hearings at such times and places as is considered necessary.

The committee shall specifically investigate alleged violations of public trust which have occurred in contracts involving the State Highway Department,

The employment of State Highway employees,

The purchase and sale of all machinery and equipment,

And, generally any mishandling or misspending of State funds in the State of Alabama.

Upon request of the Committee, all agencies of the government of the State of Alabama shall assist the Committee in the discharge of its duty.

All expenses of the Committee shall be paid out of the general funds of the State of Alabama.

The Committee shall conduct its investigation and compile its report no later than December 1, 1962 and said report shall be filed with the Attorney General of the State of Alabama and with the Circuit Solicitor of any county where any alleged violation has occurred.

This Committee shall be known as the "Committee for Good Government."

H. J. R. 47 was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

H. 36. To amend Act No. 652, H. 88, Regular Session 1961, entitled "An Act to exclude certain municipal privilege licenses from gross sales, or gross receipts, in the computation of State Sales Taxes (Act No. 100, H. 94, approved August 18, 1959, Acts 1959, vol. 1, p. 298)".

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Brannan	Cook	Franklin
Adams	Branyon	Copeland	Gilchrist
Albee	Brewer	Cornett	Gilmer
Avery	Britton	Daniel	Glass
Bailey	Broadfoot	Dodd	Goldthwaite
Barnett	Cabiness	Dunn	Goodwyn
Bassett	Callahan	Engel	Gordon
Bevill	Camp	Ferguson	Grant
Bishop	Casey	Ford	Gross

Grouby	Lee	Oakley	Salter
Guthrie	Locke	Oden	Sessions
Hain	Long (Lauderdale)	Owens	Shumate
Hardy	Long (Perry)	Perry	Smith (Russell)
Harris	McClendon (Chambers)	Pierce	Solomon
Harvey	McCorquodale	Powell	Sorrell
Hawkins	McLendon (Bullock)	Pruitt	Speaks
Hearn	Martin	Ramey	Steagall
Ingram	Meade	Rast	Sullivan
Jenkins	Merrill	Ray	Taylor
Johnson (Hardaway)	Morrow	Reynolds (Chambers)	Thomas
Johnston (Leonard)	Murphy	Roberts	Turner
Jones (Covington)	Nettles	Rogers (Macon)	Turnham
Jones (Monroe)	Nichols	Rogers (Mobile)	Vickers

—92

And the bill:

H. 184. To authorize and direct the Alabama Education Authority to allocate and distribute a part of the earnings or income from the investment of that part of the proceeds of bonds, issued by said Authority under Act No. 126, H. 15, Second Special Session 1959 (Acts 1959, p. 369), not currently needed for the purpose for which such bonds were issued, to the Alabama Institute for Deaf and Blind; and to provide for the use of such money for school building purposes upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959, Second Special Session, p. 369.

Was taken up.

The motion of Mr. Branyon to indefinitely postpone the bill, H. 184, was lost.

Yeas 32; Nays 54.

Yeas:

Messrs.	Cook	Hain	Perry
Avery	Daniel	Hearn	Powell
Barnett	Dickson	Jenkins	Sessions
Bassett	Ferguson	Johnson (Hardaway)	Shumate
Branyon	Ford	Johnston (Leonard)	Sorrell
Britton	Glass	Jones (Monroe)	Speaks
Brooks	Grant	Morrow	Sullivan
Cabiness	Gross	Oakley	Taylor
Cates			

—32

Nays:

Mr. Speaker	Callahan	Franklin	Harvey
Adams	Camp	Gilchrist	Hawkins
Albea	Chambers	Gilmer	Ingram
Bailey	Copeland	Goldthwaite	Jones (Covington)
Bevill	Cornett	Goodwyn	Lee
Bishop	Dodd	Grouby	Locke
Brannan	Dunn	Guthrie	Long (Lauderdale)
Brewer	Edwards	Hanby	Long (Perry)
Broadfoot	Faulk	Harris	McCorquodale

McLendon (Bullock)	Pierce	Roberts	Solomon
Merrill	Pruitt	Rogers (Macon)	Thomas
Murphy	Rast	Rogers (Mobile)	Turner
Nettles	Ray	Smith (Russell)	Turnham
Owens	Reynolds (Chambers)		

—54

And said bill, H. 184, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 14.

Yeas:

Mr. Speaker	Dodd	Jenkins	Pierce
Adams	Dunn	Johnston (Leonard)	Pruitt
Albea	Edwards	Jones (Covington)	Ramey
Avery	Engel	Lee	Rast
Bailey	Ferguson	Locke	Ray
Bassett	Ford	Long (Lauderdale)	Reynolds (Chambers)
Bevill	Franklin	Long (Perry)	Roberts
Bishop	Gilchrist	McClendon (Chambers)	Rogers (Macon)
Brannan	Gilmer	McCorquodale	Rogers (Mobile)
Brewer	Goldthwaite	McLendon (Bullock)	Shumate
Britton	Goodwyn	Martin	Smith (Russell)
Broadfoot	Grouby	Meade	Solomon
Callahan	Hanby	Merrill	Sorrell
Camp	Hardy	Murphy	Sullivan
Casey	Harris	Nettles	Thomas
Chambers	Harvey	Nichols	Turner
Copeland	Hawkins	Oden	Turnham
Cornett	Ingram	Owens	Vickers

—72

Nays:

Messrs.	Cook	Gross	Sessions
Barnett	Daniel	Johnson (Hardaway)	Speaks
Cabiness	Glass	Perry	Taylor
Cates	Grant	Powell	

—14

And the bill:

H. 43. (with amendment). To amend Section 21 of Title 30, Code of Alabama 1940, providing for qualifications of persons on jury rolls.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on State Administration, said committee amendment being as follows:

Amend H. B. 43 by deleting from Section 1 the words "or over sixty-five"

Also amend H. B. 43 by adding to Section 1 the following sentence:

"No person over the age of sixty-five years shall be required to serve on a jury or to remain on the panel of jurors unless he is willing to do so."

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Daniel	Jenkins	Rast
Albea	Dunn	Johnson (Hardaway)	Ray
Avery	Edwards	Johnston (Leonard)	Reynolds (Chambers)
Bailey	Engel	Jones (Covington)	Roberts
Barnett	Ferguson	Jones (Monroe)	Rogers (Macon)
Bassett	Ford	Long (Perry)	Rogers (Mobile)
Bevill	Franklin	McClendon (Chambers)	Salter
Bishop	Gilchrist	McCorquodale	Sessions
Brannan	Gilmer	McLendon (Bullock)	Shumate
Branyon	Goldthwaite	Martin	Smith (Russell)
Britton	Gordon	Meade	Solomon
Broadfoot	Gross	Merrill	Sorrell
Cabiness	Grouby	Morrow	Speaks
Callahan	Hain	Murphy	Steagall
Camp	Hanby	Oakley	Sullivan
Casey	Hardy	Perry	Taylor
Cates	Harvey	Pierce	Turner
Chambers	Hawkins	Powell	Turnham
Cook	Hearn	Pruitt	Vickers
Copeland	Ingram	Ramey	

—79

Mr. Engel offered the following amendment to the bill, H. 43, as amended:

Amend H. B. 43 by deleting section 2 thereof and inserting in lieu thereof the following:

Section 2. This Act shall become effective January 1, 1963.

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cates	Gross	McLendon (Bullock)
Adams	Chambers	Grouby	Martin
Albea	Cook	Hain	Meade
Avery	Copeland	Hanby	Morrow
Bailey	Cornett	Hardy	Murphy
Barnett	Daniel	Harvey	Oden
Bassett	Dickson	Hawkins	Owens
Bevill	Dodd	Hearn	Perry
Bishop	Dunn	Ingram	Pierce
Brannan	Edwards	Jenkins	Powell
Branyon	Engel	Johnson (Hardaway)	Ramey
Brewer	Ferguson	Johnston (Leonard)	Ray
Britton	Ford	Jones (Covington)	Reynolds (Chambers)
Broadfoot	Franklin	Jones (Monroe)	Roberts
Brooks	Gilchrist	Locke	Rogers (Macon)
Cabiness	Gilmer	Long (Lauderdale)	Rogers (Mobile)
Callahan	Goldthwaite	Long (Perry)	Salter
Camp	Gordon	McClendon (Chambers)	Sessions
Casey	Grant	McCorquodale	Shumate

Smith (Russell)	Speaks	Taylor	Turnham
Solomon	Steagall	Turner	Vickers
Sorrell	Sullivan		

—86

And said bill, H. 43, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 10.

Yeas:

Mr. Speaker	Chambers	Hain	Ramey
Adams	Cook	Hanby	Rast
Avery	Cornett	Hardy	Ray
Bailey	Daniel	Harris	Roberts
Barnett	Dickson	Hawkins	Rogers (Macon)
Bassett	Dunn	Hearn	Rogers (Mobile)
Bevill	Edwards	Ingram	Salter
Bishop	Engel	Johnson (Hardaway)	Sessions
Brannan	Ferguson	Johnston (Leonard)	Shumate
Branyon	Ford	Long (Perry)	Smith (Russell)
Brewer	Gilchrist	McClendon (Chambers)	Solomon
Britton	Gilmer	Martin	Sorrell
Brooks	Goldthwaite	Merrill	Speaks
Cabiness	Goodwyn	Morrow	Sullivan
Callahan	Gordon	Owens	Turner
Camp	Grant	Perry	Turnham
Casey	Gross	Pierce	Vickers
Cates	Grouby	Powell	

—71

Nays:

Messrs.	Copeland	Jones (Covington)	McLendon (Bullock)
Albea	Dodd	Locke	Meade
Broadfoot	Guthrie	Long (Lauderdale)	

—10

And the bill:

H. 51. Relating to taxation; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

Was read a third time at length and passed, and ordered sent forthwith to the senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Bishop	Cabiness	Copeland
Adams	Brannan	Callahan	Cornett
Albea	Branyon	Camp	Daniel
Avery	Brewer	Casey	Dickson
Bailey	Britton	Cates	Dodd
Barnett	Broadfoot	Chambers	Dunn
Bevill	Brooks	Cook	Edwards

Engel	Hardy	McLendon (Bullock)	Rogers (Macon)
Ferguson	Harris	Martin	Rogers (Mobile)
Ford	Harvey	Meade	Salter
Franklin	Hawkins	Merrill	Sessions
Gilchrist	Hearn	Morrow	Shumate
Gilmer	Ingram	Nettles	Smith (Russell)
Glass	Jenkins	Oakley	Solomon
Goldthwaite	Johnson (Hardaway)	Oden	Sorrell
Goodwyn	Johnston (Leonard)	Owens	Speaks
Gordon	Jones (Covington)	Perry	Steagall
Grant	Jones (Monroe)	Pierce	Sullivan
Gross	Locke	Powell	Taylor
Grouby	Long (Lauderdale)	Ramey	Turner
Guthrie	Long (Perry)	Rast	Turnham
Hain	McClendon (Chambers)	Ray	Vickers
Hanby	McCorquodale	Reynolds (Chambers)	

—91

And the bill:

H. 55. To provide that all human blood used or proposed to be used for blood transfusions shall be labeled according to the race of the donor; to provide that no human blood not labeled in accordance with the provisions of this Act shall be used for blood transfusions in this State; to provide that any person about to receive a blood transfusion or a parent or the next of kin of said person shall be informed of the race of the donor of the blood, if blood from a person of a different race is to be used; to provide that a doctor may proceed with a transfusion without compliance with the provisions of this Act if an emergency exists; to provide that emergency and disaster areas are exempt from the provisions of this Act if the emergency has been declared by the Governor, or a federal agency or other agency or authority having the authority to declare an emergency; to provide a penalty for the violation of the provisions of this Act; and for other purposes.

Was taken up.

The motion of Mr. Reynolds (Chambers) to indefinitely postpone the bill, H. 55, was lost.

Yeas 10; Nays 62.

Yeas:

Messrs.	Guthrie	Long (Lauderdale)	Reynolds (Chambers)
Broadfoot	Hanby	Murphy	Speaks
Cabiness	Johnson (Hardaway)	Rast	

—10

Nays:

Mr. Speaker	Britton	Dodd	Goldthwaite
Adams	Callahan	Dunn	Gordon
Albea	Camp	Engel	Grant
Avery	Casey	Ferguson	Grouby
Bailey	Cates	Ford	Hawkins
Barnett	Copeland	Franklin	Ingram
Bishop	Cornett	Gilchrist	Jenkins
Brannan	Daniel	Gilmer	Johnston (Leonard)
Brewer	Dickson	Glass	Jones (Covington)

Jones (Monroe)	Merrill	Pierce	Shumate
Locke	Morrow	Powell	Smith (Russell)
Long (Perry)	Nettles	Ramey	Solomon
McCorquodale	Nichols	Rogers (Macon)	Taylor
McLendon (Bullock)	Oakley	Salter	Turner
Martin	Owens	Sessions	Vickers
Meade	Perry		

—62

And said bill, H. 55, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 7.

Yeas:

Mr. Speaker	Dickson	Ingram	Owens
Adams	Dodd	Jenkins	Perry
Albea	Dunn	Johnston (Leonard)	Pierce
Avery	Engel	Jones (Covington)	Powell
Bailey	Ferguson	Jones (Monroe)	Ramey
Barnett	Ford	Lee	Ray
Bevill	Franklin	Locke	Rogers (Macon)
Brannan	Gilchrist	Long (Perry)	Rogers (Mobile)
Britton	Gilmer	McCorquodale	Salter
Brooks	Glass	McLendon (Bullock)	Sessions
Cabiness	Goldthwaite	Martin	Shumate
Callahan	Gordon	Meade	Smith (Russell)
Camp	Grant	Merrill	Speaks
Casey	Gross	Morrow	Sullivan
Cates	Grouby	Nettles	Taylor
Copeland	Hardy	Nichols	Turner
Cornett	Hawkins	Oakley	Vickers
Daniel			

—69

Nays:

Messrs.	Guthrie	Johnson (Hardaway)	Murphy
Broadfoot	Hanby	Long (Lauderdale)	Reynolds (Chambers)

—7

And the bill:

H. 125. To amend Sections 2 and 14, Act No. 913, H. 1319, Regular Session 1961 (Acts 1961, p. 1464) which Act authorizes the levy of special county privilege license and excise taxes for educational purposes when approved at a referendum election, in all counties having a population of 45,000 or less inhabitants.

Was taken up.

Mr. Salter offered the following amendment to the bill, H. 125:

Amendment to H. 125

In Section 2, strike out the second paragraph thereof and insert the following:

"Section 14. This Act shall take effect on the date of its enactment; however, if the rate of the sales tax levied by the State of Alabama shall

be increased by law, then and in that event all county sales and use taxes, levied by the governing body of any county pursuant to the provisions of this Act, shall terminate as of the effective date of the Act effecting such rate increase, except that such levy by any county governing body shall continue in force and effect only so long as may be necessary to pay off any outstanding bonds or warrants or other evidence of indebtedness and all interest thereon as it may accrue, and to which the proceeds of such county sales and use tax levy had been pledged in payment thereof."

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Daniel	Ingram	Pierce
Adams	Dickson	Jenkins	Powell
Albea	Dodd	Johnston (Leonard)	Ramey
Avery	Dunn	Jones (Covington)	Rast
Bailey	Ferguson	Jones (Monroe)	Ray
Barnett	Ford	Lee	Reynolds (Chambers)
Bevill	Franklin	Locke	Roberts
Bishop	Gilmer	Long (Perry)	Rogers (Macon)
Brannan	Goldthwaite	McClendon (Chambers)	Rogers (Mobile)
Branyon	Goodwyn	McCorquodale	Shumate
Brewer	Gordon	McLendon (Bullock)	Smith (Russell)
Broadfoot	Grant	Meade	Solomon
Brooks	Gross	Merrill	Speaks
Cabiness	Grouby	Murphy	Steagall
Camp	Guthrie	Nettles	Sullivan
Cates	Hain	Nichols	Taylor
Chambers	Hanby	Oakley	Turner
Cook	Hardy	Owens	Turnham
Copeland	Harris	Perry	Vickers
Cornett	Harvey		

—78

On motion of Mr. Salter, further consideration of the bill, H. 125, as amended, was temporarily postponed.

And the bill:

H. 135. To appropriate from any funds in the State Treasury to the credit of the General Fund not otherwise appropriated, for the fiscal year ending September 30, 1962, the sum of \$175,000.00 for the purpose of constructing and equipping a recreational building at Gulf State Park and to further provide for such construction.

Was taken up.

Mr. Brannan offered the following amendment to the bill, H. 135:

AMENDMENT TO H. B. 135

Strike out Section 4 of the bill and insert in lieu thereof the following:

"Section 4. This Act shall take effect upon the termination by operation of law or otherwise of that portion of that certain concession contract

entered into between the State of Alabama and Roy J. Grimmer on March 22, 1957, granting the said Grimmer certain rights and privileges with respect to the operation of a restaurant and casino at Gulf State Park."

And the amendment was adopted.

Yeas 81; Nays 1.

Yeas:

Mr. Speaker	Daniel	Harvey	Perry
Adams	Dickson	Hawkins	Pierce
Albee	Dunn	Hearn	Powell
Avery	Edwards	Ingram	Ramey
Bailey	Engel	Johnson (Hardaway)	Rast
Barnett	Ferguson	Johnston (Leonard)	Ray
Bassett	Ford	Jones (Covington)	Reynolds (Chambers)
Bevill	Franklin	Jones (Monroe)	Roberts
Bishop	Gilchrist	Locke	Rogers (Macon)
Brannan	Gilmer	Long (Perry)	Rogers (Mobile)
Branyon	Goldthwaite	McClendon (Chambers)	Sessions
Brewer	Goodwyn	McCorquodale	Smith (Russell)
Britton	Gordon	McLendon (Bullock)	Solomon
Broadfoot	Grant	Meade	Sorrell
Brooks	Grouby	Merrill	Steagall
Camp	Guthrie	Morrow	Sullivan
Casey	Hain	Nettles	Taylor
Cates	Hanby	Nichols	Turner
Chambers	Hankins	Oakley	Turnham
Cook	Hardy	Owens	Vickers
Cornett			

—81

Nay:

Mr. Cabiness

—1

And said bill, H. 135, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 5.

Yeas:

Mr. Speaker	Casey	Gilmer	Johnston (Leonard)
Adams	Cates	Goldthwaite	Jones (Covington)
Avery	Chambers	Goodwyn	Jones (Monroe)
Bailey	Cook	Gordon	Lee
Barnett	Copeland	Grant	Locke
Bassett	Cornett	Grouby	Long (Perry)
Bevill	Daniel	Guthrie	McClendon (Chambers)
Bishop	Dickson	Hanby	McCorquodale
Brannan	Dodd	Hankins	McLendon (Bullock)
Branyon	Dunn	Hardy	Martin
Brewer	Edwards	Harvey	Meade
Britton	Engel	Hawkins	Merrill
Broadfoot	Ferguson	Hearn	Morrow
Brooks	Ford	Ingram	Nettles
Camp	Franklin	Johnson (Hardaway)	Nichols

Oakley	Rast	Shumate	Sullivan
Owens	Reynolds (Chambers)	Smith (Russell)	Thomas
Perry	Roberts	Solomon	Turner
Pierce	Rogers (Macon)	Sorrell	Turnham
Powell	Rogers (Mobile)	Steagall	Vickers
Ramey	Sessions		

—82

Nays:

Messrs.	Gilchrist	Long (Lauderdale)	Speaks
Cabiness	Gross		

—5

And the bill:

H. 139. To amend Code of Alabama 1940, Title 13, Section 33, which relates to supernumerary justices of the Supreme Court of Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 1.

Yeas:

Mr. Speaker	Dodd	Harvey	Perry
Adams	Dunn	Hawkins	Pierce
Albea	Edwards	Hearn	Powell
Barnett	Engel	Ingram	Ramey
Bassett	Ferguson	Johnston (Leonard)	Rast
Bevill	Ford	Jones (Covington)	Roberts
Bishop	Franklin	Jones (Monroe)	Rogers (Macon)
Brannan	Gilchrist	Lee	Rogers (Mobile)
Brewer	Gilmer	Locke	Sessions
Britton	Glass	McClendon (Chambers)	Shumate
Brooks	Goldthwaite	McCorquodale	Smith (Russell)
Cabiness	Goodwyn	McLendon (Bullock)	Solomon
Camp	Gordon	Martin	Sorrell
Casey	Grant	Meade	Speaks
Cates	Gross	Merrill	Steagall
Chambers	Grouby	Morrow	Sullivan
Cook	Guthrie	Murphy	Thomas
Copeland	Hain	Nettles	Turner
Cornett	Hanby	Nichols	Turnham
Daniel	Hardy	Oakley	Vickers
Dickson	Harris		

—82

Nay:

Mr. Broadfoot

—1

And the bill:

S. 9. (with amendment). To amend Sections 1, 2, and 3 of Act No. 530, Acts of Alabama Regular Session 1949, Page 835, "Relating to public health; to regulate through licensure hospitals, sanatoria, rest homes, nurs-

ing homes, and related institutions; and providing penalties for the violation of this Act", so as to include domiciliary institutions, homes for the aged, intermediate institutions, and related institutions.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on State Administration, said committee amendment being as follows:

Senate Bill No. 9 is hereby amended by striking out the word "herein" in the ninth line of Section 3 and inserting in lieu thereof the following:

"and established by the State Board of Health with the advice of the Advisory Committee as provided in Acts of 1949, p. 837, Sections 8 and 9 (Recompiled Code of 1958, Title 22, No. 204(49) and 204(50))"

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dickson	Harvey	Pruitt
Adams	Dodd	Hearn	Ramey
Albea	Dunn	Ingram	Rast
Avery	Edwards	Johnson (Hardaway)	Ray
Barnett	Engel	Johnston (Leonard)	Reynolds (Chambers)
Bassett	Ferguson	Jones (Covington)	Roberts
Bevill	Ford	Jones (Monroe)	Rogers (Macon)
Bishop	Franklin	Locke	Rogers (Mobile)
Branyon	Gilchrist	McCorquodale	Sessions
Brewer	Gilmer	McLendon (Bullock)	Shumate
Britton	Glass	Martin	Smith (Russell)
Broadfoot	Goldthwaite	Meade	Solomon
Brooks	Goodwyn	Merrill	Sorrell
Cabiness	Gordon	Murphy	Speaks
Camp	Grant	Nettles	Steagall
Casey	Gross	Nichols	Sullivan
Chambers	Guthrie	Oakley	Torbert
Cook	Hain	Oden	Turner
Copeland	Hanby	Perry	Turnham
Cornett	Hankins	Pierce	Vickers
Daniel	Hardy	Powell	

—83

And said bill, S. 9, as thus amended, was read a third time at length and passed.

Yeas 87; Nays 2.

Yeas:

Mr. Speaker	Barnett	Brewer	Camp
Adams	Bassett	Britton	Cates
Albea	Bevill	Broadfoot	Chambers
Avery	Bishop	Brooks	Cook
Bailey	Brannan	Cabiness	Copeland

Daniel	Grouby	McCorquodale	Reynolds (Chambers)
Dickson	Guthrie	McLendon (Bullock)	Roberts
Dodd	Hain	Martin	Rogers (Macon)
Dunn	Hanby	Merrill	Rogers (Mobile)
Edwards	Hankins	Morrow	Sessions
Engel	Hardy	Murphy	Smith (Russell)
Ferguson	Harris	Nettles	Solomon
Ford	Harvey	Nichols	Sorrell
Franklin	Hawkins	Oakley	Speaks
Gilchrist	Hearn	Owens	Steagall
Gilmer	Ingram	Perry	Sullivan
Glass	Johnson (Hardaway)	Pierce	Thomas
Goldthwaite	Johnston (Leonard)	Powell	Torbert
Goodwyn	Jones (Covington)	Pruitt	Turner
Gordon	Locke	Ramey	Turnham
Grant	Long (Perry)	Rast	Vickers
Gross	McClendon (Chambers)	Ray	

—87

Nays:

Messrs.

Meade

Shumate

—2

And the bill:

S. 10. To appropriate to the State Department of Public Health for the fiscal year ending September 30th, 1963, the additional sum of seven thousand five hundred dollars (\$7,500) for administering expanded licensure responsibilities pursuant to Senate Bill 9.

Was read a third time at length and passed.

Yeas 84; Nays 2.

Yeas:

Mr. Speaker	Dickson	Harris	Perry
Adams	Dodd	Hawkins	Pierce
Albea	Dunn	Hearn	Powell
Avery	Edwards	Ingram	Pruitt
Bailey	Engel	Johnson (Hardaway)	Ramey
Barnett	Ferguson	Johnson (J. T. Tom)	Rast
Bassett	Ford	Johnston (Leonard)	Ray
Bevill	Franklin	Jones (Covington)	Reynolds (Chambers)
Bishop	Gilchrist	Locke	Roberts
Brannan	Gilmer	Long (Perry)	Rogers (Macon)
Branyon	Glass	McClendon (Chambers)	Rogers (Mobile)
Brewer	Goldthwaite	McCorquodale	Sessions
Britton	Goodwyn	McLendon (Bullock)	Smith (Russell)
Broadfoot	Gordon	Martin	Solomon
Brooks	Grant	Merrill	Sorrell
Camp	Grouby	Morrow	Steagall
Chambers	Guthrie	Murphy	Sullivan
Cook	Hain	Nettles	Torbert
Copeland	Hanby	Nichols	Turner
Cornett	Hankins	Oakley	Turnham
Daniel	Hardy	Owens	Vickers

—84

Nays:

Messrs.

Cabiness

Speaks

—2

And the bill:

H. 87. To amend Section 41 of Title 50 of the Code of Alabama of 1940 so as to authorize an improvement authority organized under the provisions of Chapter 3 of Title 50 of said Code to issue refunding bonds and bonds for the combined purpose of refunding bonds theretofore issued and of paying the costs of constructing and acquiring any enterprise which it is permitted to own and operate or any improvement or addition thereto.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harvey	Pierce
Adams	Dickson	Hawkins	Powell
Albea	Dodd	Hearn	Pruitt
Avery	Dunn	Ingram	Ramey
Bailey	Edwards	Johnson (Hardaway)	Rast
Barnett	Engel	Johnson (J. T. Tom)	Ray
Bassett	Ferguson	Johnston (Leonard)	Reynolds (Chambers)
Bevill	Ford	Jones (Covington)	Roberts
Bishop	Franklin	Lee	Rogers (Macon)
Brannan	Gilchrist	Locke	Rogers (Mobile)
Branyon	Gilmer	McClendon (Chambers)	Sessions
Brewer	Glass	McCorquodale	Shumate
Britton	Goldthwaite	McLendon (Bullock)	Solomon
Broadfoot	Goodwyn	Martin	Sorrell
Brooks	Gordon	Meade	Speaks
Cabiness	Grant	Merrill	Steagall
Callahan	Gross	Morrow	Sullivan
Camp	Grouby	Murphy	Taylor
Casey	Guthrie	Nettles	Thomas
Cates	Hain	Nichols	Torbert
Chambers	Hanby	Oakley	Turner
Cook	Hankins	Owens	Turnham
Copeland	Hardy	Perry	Vickers
Cornett	Harris		

—94

And the bill:

H. 154. To make it unlawful for any person to go upon or remain upon the lands, buildings or premises of another or any part, portion or area thereof after having been forbidden to do so either orally or in writing by the owner, lessee, custodian or other person in possession thereof, his agent or representative or after having been forbidden to do so by a written legible sign or signs posted on such lands, buildings or premises at a place or places where such sign or signs are visible, and to fix the punishments for a violation of this Act.

Was taken up.

Mr. Ferguson offered the following amendment to the bill, H. 154:

Amend H. B. 154 by adding to Section 2 of said bill the following sentence:

"Provided, however, the provisions of this Act shall not apply to any labor dispute or to persons engaged in lawful picketing."

The motion of Mr. Nettles to indefinitely postpone the bill, H. 154, and pending amendment, was lost.

Yeas 24; Nays 45.

Yeas:

Messrs.	Daniel	Harris	Ray
Avery	Dodd	Johnson (Hardaway)	Rogers (Mobile)
Barnett	Ford	Martin	Taylor
Bassett	Gordon	Murphy	Thomas
Branyon	Grant	Nettles	Torbert
Cabiness	Guthrie	Ramey	Vickers
Cornett			

—24

Nays:

Mr. Speaker	Dickson	Ingram	Nichols
Adams	Franklin	Johnson (J. T. Tom)	Perry
Albea	Gilchrist	Jones (Covington)	Pierce
Brannan	Gilmer	Lee	Powell
Britton	Glass	Locke	Rast
Broadfoot	Gross	Long (Perry)	Rogers (Macon)
Brooks	Grouby	McClendon (Chambers)	Salter
Callahan	Hain	McLendon (Bullock)	Sessions
Camp	Hanby	Meade	Solomon
Cates	Hardy	Merrill	Sorrell
Chambers	Hawkins	Morrow	Speaks
Copeland			

—45

The question was on the adoption of the amendment offered by Mr. Ferguson to the bill, H. 154, and said amendment was adopted.

Yeas 68; Nays 11.

Yeas:

Mr. Speaker	Broadfoot	Copeland	Goodwyn
Adams	Brooks	Cornett	Grant
Albea	Cabiness	Dunn	Gross
Bassett	Callahan	Ferguson	Grouby
Bevill	Camp	Ford	Hanby
Bishop	Casey	Franklin	Hankins
Brannan	Cates	Gilchrist	Hardy
Brewer	Chambers	Gilmer	Harris
Britton	Cook	Glass	Hawkins

Ingram	McClendon (Bullock)	Powell	Speaks
Johnson (Hardaway)	Meade	Reynolds (Chambers)	Steagall
Johnson (J. T. Tom)	Merrill	Rogers (Macon)	Sullivan
Johnston (Leonard)	Murphy	Salter	Taylor
Jones (Covington)	Nichols	Sessions	Thomas
Lee	Oden	Shumate	Turner
Locke	Perry	Solomon	Turnham
McClendon (Chambers)	Pierce	Sorrell	Vickers

—68

Nays:

Messrs.	Dickson	Hain	Nettles
Barnett	Dodd	Long (Perry)	Oakley
Daniel	Guthrie	Martin	Rogers (Mobile)

—11

And said bill, H. 154, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 8.

Yeas:

Mr. Speaker	Dodd	Jenkins	Powell
Adams	Dunn	Johnson (Hardaway)	Pruitt
Albea	Edwards	Johnson (J. T. Tom)	Ramey
Avery	Engel	Johnston (Leonard)	Rast
Bailey	Ferguson	Jones (Covington)	Ray
Barnett	Ford	Lee	Roberts
Bassett	Franklin	Locke	Rogers (Macon)
Bevill	Gilchrist	Long (Lauderdale)	Rogers (Mobile)
Bishop	Gilmer	Long (Perry)	Salter
Brannan	Goldthwaite	McClendon (Chambers)	Sessions
Branyon	Gordon	McCorquodale	Shumate
Brewer	Grant	McClendon (Bullock)	Solomon
Britton	Grouby	Meade	Sorrell
Brooks	Hain	Merrill	Speaks
Callahan	Hanby	Morrow	Steagall
Camp	Hankins	Nettles	Sullivan
Cates	Hardy	Nichols	Taylor
Chambers	Harris	Oakley	Thomas
Cook	Harvey	Owens	Turner
Copeland	Hawkins	Perry	Turnham
Daniel	Hearn	Pierce	Vickers
Dickson	Ingram		

—86

Nays:

Messrs.	Cornett	Gross	Murphy
Broadfoot	Goodwyn	Guthrie	Oden
Cabiness			

—8

And the bill:

H. 155. (with amendment). Providing and to provide that it shall be unlawful for any person to enter, or attempt to enter, any church of which he is not a member while religious services are in progress therein after

having been requested not to enter or attempt to enter said church by any member, usher or minister or preacher of said church, or to fail to leave or vacate said church of which he is not a member after such service has begun therein when requested to do so by any member, usher or preacher or minister of said church and to provide and prescribe punishments for violation of this Act and providing for repeal of conflicting laws and providing for the effective date of this Act.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on State Administration, said committee amendment being as follows:

Amend H. B. 155 by inserting the words after the word "member" in the eighth line of the title of said bill the words "of the official governing body"

Further Amend H. B. 155 by inserting the words after the word "member" in the fifth line of Section 1 of said bill the words "of the official governing body"

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cornett	Harris	Owens
Adams	Daniel	Harvey	Perry
Albea	Dickson	Hawkins	Pierce
Avery	Dodd	Ingram	Powell
Bailey	Dunn	Jenkins	Ramey
Barnett	Edwards	Johnson (Hardaway)	Rast
Bassett	Ferguson	Johnson (J. T. Tom)	Ray
Bevill	Ford	Johnston (Leonard)	Roberts
Bishop	Franklin	Jones (Covington)	Rogers (Macon)
Brannan	Gilchrist	Lee	Salter
Branyon	Gilmer	Locke	Sessions
Brewer	Glass	Long (Perry)	Solomon
Britton	Goldthwaite	McClendon (Chambers)	Sorrell
Broadfoot	Gordon	McCorquodale	Speaks
Brooks	Grant	McLendon (Bullock)	Steagall
Callahan	Gross	Martin	Sullivan
Camp	Grouby	Meade	Taylor
Casey	Guthrie	Merrill	Thomas
Cates	Hain	Morrow	Turner
Chambers	Hanby	Nettles	Turnham
Cook	Hankins	Nichols	Vickers
Copeland	Hardy	Oakley	

—87

And said bill, H. 155, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 7.

Yeas:

Mr. Speaker	Albea	Bailey	Bassett
Adams	Avery	Barnett	Brannan

Branyon	Glass	Johnston (Leonard)	Powell
Britton	Goldthwaite	Jones (Covington)	Ramey
Broadfoot	Goodwyn	Lee	Rast
Brooks	Gordon	Locke	Ray
Callahan	Grant	Long (Lauderdale)	Roberts
Camp	Gross	Long (Perry)	Rogers (Macon)
Casey	Grouby	McClendon (Chambers)	Salter
Cates	Hain	McCorquodale	Sessions
Chambers	Hanby	McLendon (Bullock)	Smith (Russell)
Copeland	Hankins	Martin	Sorrell
Cornett	Hardy	Merrill	Speaks
Daniel	Harvey	Morrow	Steagall
Dickson	Hawkins	Nettles	Sullivan
Dunn	Hearn	Nichols	Taylor
Ferguson	Ingram	Oakley	Thomas
Ford	Jenkins	Owens	Turner
Franklin	Johnson (Hardaway)	Perry	Turnham
Gilchrist	Johnson (J. T. Tom)	Pierce	Vickers
Gilmer			

—81

Nays:

Messrs.	Dodd	Harris	Murphy
Cabiness	Guthrie	Meade	Rogers (Mobile)

—7

And the bill:

H. 125. To amend Sections 2 and 14, Act No. 913, H. 1319, Regular Session 1961 (Acts 1961, p. 1464) which Act authorizes the levy of special county privilege license and excise taxes for educational purposes when approved at a referendum election, in all counties having a population of 45,000 or less inhabitants.

As amended, was again taken up.

Messrs. Taylor and Glass offered the following amendment to the bill, H. 125, as amended:

Amend H. B. 125 to exempt counties having a population of not less than 24,550 and not more than 24,570.

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Brewer	Daniel	Glass
Adams	Britton	Dickson	Goldthwaite
Albea	Broadfoot	Dodd	Gordon
Avery	Brooks	Dunn	Grant
Barnett	Cabiness	Edwards	Gross
Bassett	Camp	Ferguson	Guthrie
Bevill	Casey	Ford	Hain
Bishop	Chambers	Franklin	Hanby
Brannan	Cook	Gilchrist	Hankins
Branyon	Copeland	Gilmer	Hardy

Harvey	McClendon (Bullock)	Perry	Solomon
Hearn	Meade	Pierce	Sorrell
Ingram	Merrill	Powell	Speaks
Johnston (Leonard)	Morrow	Rast	Steagall
Locke	Murphy	Ray	Sullivan
Long (Lauderdale)	Nettles	Reynolds (Chambers)	Taylor
Long (Perry)	Nichols	Rogers (Macon)	Torbert
McClendon (Chambers)	Oakley	Rogers (Mobile)	Turnham
McCorquodale	Owens	Shumate	Vickers

—76

Mr. Jones (Covington) offered the following amendment to the bill, H. 125, as amended:

Amend H. B. 125

to exempt counties having a population of not less than 35,600 and not more than 36,000.

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Cornett	Harvey	Perry
Albea	Daniel	Hearn	Pierce
Avery	Dickson	Ingram	Powell
Bailey	Dunn	Johnston (Leonard)	Rast
Barnett	Edwards	Jones (Covington)	Ray
Bassett	Engel	Locke	Reynolds (Chambers)
Bevill	Ford	Long (Perry)	Rogers (Macon)
Bishop	Gilmer	McClendon (Chambers)	Rogers (Mobile)
Branyon	Glass	McCorquodale	Sessions
Brewer	Goldthwaite	McLendon (Bullock)	Shumate
Britton	Gordon	Meade	Solomon
Broadfoot	Grant	Merrill	Sorrell
Brooks	Gross	Morrow	Speaks
Cabiness	Grouby	Murphy	Steagall
Camp	Guthrie	Nettles	Sullivan
Casey	Hain	Nichols	Taylor
Cates	Hanby	Oakley	Turnham
Chambers	Hankins	Owens	Vickers
Copeland	Hardy		

—74

And said bill, H. 125, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Bevill	Broadfoot	Chambers
Adams	Bishop	Brooks	Cook
Albea	Brannan	Cabiness	Cornett
Bailey	Branyon	Camp	Daniel
Barnett	Brewer	Casey	Dickson
Bassett	Britton	Cates	Dodd

Dunn	Hardy	McCorquodale	Reynolds (Chambers)
Edwards	Harris	McLendon (Bullock)	Rogers (Macon)
Engel	Harvey	Martin	Rogers (Mobile)
Ferguson	Hearn	Meade	Salter
Ford	Ingram	Merrill	Sessions
Gilmer	Jenkins	Murphy	Shumate
Glass	Johnson (Hardaway)	Nettles	Smith (Russell)
Goldthwaite	Johnson (J. T. Tom)	Nichols	Sorrell
Gordon	Johnston (Leonard)	Oakley	Speaks
Grant	Jones (Covington)	Owens	Steagall
Gross	Jones (Monroe)	Pierce	Sullivan
Grouby	Lee	Powell	Taylor
Hain	Long (Perry)	Ramey	Thomas
Hankins	McClendon (Chambers)	Rast	Turnham

—80

And the bill:

H. 163. (with amendment). To amend the revenue law; redefining certain terms used in administering state sales and use tax statutes; repealing Section 1(1) (i), Act 100, H. 94, Second Special Session 1959, and Section 787(d), Title 51, Code 1940 as amended.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on State Administration, said committee amendment being as follows:

Amend Section 1 of H. B. 163 by striking out the "period" appearing at the end of the third sentence in said section and insert a "semi-colon" in lieu thereof and add the following words:

"provided, however, such terms shall also include the sale of containers to persons engaged in selling or otherwise supplying or furnishing baby chicks to growers thereof where such containers are used for the delivery of such chicks, and shall further include containers sold for use in the delivery of eggs by the producer thereof to the distributor or packer of such eggs even though such containers used for delivery of baby chicks or eggs may be recovered for re-use."

On motion of Mr. Turner the amendment reported by the Standing Committee on State Administration was laid upon the table.

Mr. Turner offered the following substitute for the bill, H. 163:

A BILL TO BE ENTITLED AN ACT

To amend the revenue law; defining further certain terms used in administering state sales and use tax statutes; repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. For the purpose of administering the state sales and use tax laws, the terms "wholesale sale" or "sale at wholesale" shall include the

sale of containers to persons engaged in selling or otherwise supplying or furnishing baby chicks to growers thereof where such containers are used for the delivery of such chicks, and shall further include containers sold for use in the delivery of eggs by the producer thereof to the distributor or packer of such eggs even though such containers used for delivery of baby chicks or eggs may be recovered for re-use.

Section 2. All laws or laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Turner further consideration of the bill, H. 163, and pending substitute, was temporarily postponed.

And the bill:

H. 172. To amend Act No. 44, H. 53, of the Special Session of the Legislature of 1961 (Acts 1961, p. 1897), entitled "An Act to provide for a license tax on and the assessment and collection of ad valorem taxes on house trailers."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 13.

Yeas:

Mr. Speaker	Edwards	Jones (Monroe)	Ray
Adams	Engel	Lee	Roberts
Albea	Ferguson	Long (Lauderdale)	Rogers (Macon)
Bailey	Ford	Long (Perry)	Rogers (Mobile)
Barnett	Gilchrist	McCorquodale	Salter
Bassett	Goldthwaite	McLendon (Bullock)	Sessions
Brannan	Goodwyn	Meade	Smith (Russell)
Brewer	Grant	Morrow	Solomon
Britton	Gross	Murphy	Sorrell
Brooks	Grouby	Nettles	Speaks
Casey	Hain	Oakley	Steagall
Cates	Hankins	Oden	Sullivan
Cook	Harvey	Perry	Thomas
Cornett	Ingram	Pierce	Torbert
Daniel	Johnson (Hardaway)	Powell	Turnham
Dickson	Johnston (Leonard)	Ramey	

—63

Nays:

Messrs.	Cabiness	Johnson (J. T. Tom)	Reynolds (Chambers)
Bevill	Camp	Jones (Covington)	Shumate
Bishop	Dodd	Rast	Taylor
Broadfoot	Guthrie		

—13

H. 179 TEMPORARILY POSTPONED

On motion of Mr. Shumate, consideration of the bill, H. 179, was temporarily postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Bill:

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

by a vote of Yeas 31; Nays 0.

And said Bill, as amended by the Conference report, was again read at length and passed by a vote of Yeas 25; Nays 6.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolution, your signature thereto is requested:

S. 71. To amend the title to and Section 1 of Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956 (as heretofore amended), entitled, "An act relative to municipalities in this state having a population of not less than 23,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof," so as to make said Act applicable to municipalities having a population of not less than 8,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

Also:

S. 72. To propose an amendment to the Constitution authorizing the issuance and sale of warrants payable from the proceeds of special school taxes in DeKalb County for the purpose of refinancing any deficit created by proration of school funds prior to June 1, 1962.

Also:

S. 73. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 70,000 nor more than 96,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

S. J. R. 12. Requesting the Legislative Council to investigate and make a survey of rates and charges of newspapers for legal and political advertisements.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolution, the titles to which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 33. Relative to recalling House Bill 146 for further consideration.

Also:

H. J. R. 36. Relative to amending House Bill 146.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length

having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 9. To amend Sections 1, 2, and 3 of Act No. 530, Acts of Alabama Regular Session 1949, Page 835, "Relating to public health; to regulate through licensure hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act", so as to include domiciliary institutions, homes for the aged, intermediate institutions, and related institutions.

J. E. SPEIGHT,
Secretary.

BILLS ON THIRD READING RESUMED

H. 20. (with amendment). To amend Act No. 126, H. 15, of the Second Special Session of the Legislature of 1959 (Acts of Alabama 1959, page 369), which created the Alabama Education Authority and authorized it to issue and sell bonds for the purpose of providing funds for the construction, reconstruction, improvement, alteration and equipment of public school and college buildings and for acquiring sites therefor, so as to authorize such authority to allocate and pay a portion of the funds so raised to Northwest Alabama Junior College, an institution of higher learning, established pursuant to Act No. 888, H. 1113 of the Regular Session of 1961.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on State Administration, said committee amendment being as follows:

Amend H. B. 20, Section 1, "Section 10, Paragraph (5)", by striking therefrom the words and figures "Five Hundred thousand dollars (\$500,000)" and insert in lieu thereof the following words and figures "Two hundred thousand dollars (\$200,000)"

Mr. Oden offered the following substitute for the bill, H. 20:

Substitute for H. 20

A BILL TO BE ENTITLED AN ACT

To authorize and direct the Alabama Education Authority to allocate and distribute a part of the earnings or income from the investment of that part of the proceeds of bonds issued by said Authority under Act No. 126, H. 15, Second Special Session 1959 (Acts 1959, p. 369) not currently needed for the purpose for which such bonds were issued, to the board of

trustees of the Northwest Alabama Junior College in Franklin County; and to provide for the use of such money for school building purposes under the same terms and like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under said Act No. 126 of 1959.

Be It Enacted by the Legislature of Alabama:

Section 1. The Alabama Education Authority established pursuant to Act No. 126, H. 15, Second Special Session 1959, is hereby authorized and directed to allocate and distribute, out of any moneys in the state treasury to the credit of such Authority heretofore or hereafter accruing from earnings or income from the investment of that part of the proceeds of any bonds issued which could not immediately be applied to the purpose for which such bonds were issued, the sum of one hundred thousand dollars (\$100,000) to the board of trustees of Northwest Alabama Junior College in Franklin County.

All money allocated and distributed hereunder shall be used solely for the purpose of financing the construction, reconstruction, alteration and improvement of school buildings. The preparation of all plans and specifications for any such buildings and all work done hereunder in regard to construction, reconstruction, alteration and improvement of school buildings shall be supervised by the Alabama Building Commission in the same manner and upon the same terms and conditions as provided for work done on school buildings under Act No. 126 of 1959.

Section 2. The Alabama Building Commission and the Alabama Education Authority shall each have the same powers and authority and shall perform the same duties relative to the use of money distributed pursuant to this Act as they have relative to money distributed under said Act No. 126 of 1959.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Branyon, the bill, H. 20 with pending amendment and substitute, was indefinitely postponed.

Yeas 50; Nays 28.

Yeas:

Messrs.	Brooks	Engel	Grouby
Albea	Cabiness	Ford	Guthrie
Bailey	Cates	Gilmer	Hankins
Bassett	Cornett	Glass	Hardy
Brannan	Daniel	Goodwyn	Hawkins
Branyon	Dickson	Gordon	Ingram
Brewer	Dunn	Grant	Jenkins
Britton	Edwards	Gross	Johnson (Hardaway)

Johnston (Leonard)	McLendon (Bullock)	Pierce	Sorrell
Locke	Merrill	Powell	Speaks
Long (Lauderdale)	Morrow	Ramey	Sullivan
McClendon (Chambers)	Oakley	Rogers (Mobile)	Taylor
McCorquodale	Perry	Sessions	

—50

Nays:

Mr. Speaker	Cook	Jones (Covington)	Ray
Adams	Dodd	Long (Perry)	Reynolds (Chambers)
Barnett	Ferguson	Martin	Roberts
Bevill	Gilchrist	Murphy	Rogers (Macon)
Broadfoot	Hanby	Nettles	Shumate
Callahan	Harvey	Oden	Solomon
Camp	Johnson (J. T. Tom)	Rast	Turnham

—28

And the bill:

H. 163. To amend the revenue law; redefining certain terms used in administering state sales and use tax statutes; repealing Section 1(1) (i), Act 100, H. 94, Second Special Session 1959, and Section 787 (d), Title 51, Code 1940 as amended.

Was again taken up.

The question was on the adoption of the substitute offered by Mr. Turner for the bill, H. 163, and said substitute was adopted.

Yeas 79; Nays 5.

Yeas:

Mr. Speaker	Dunn	Ingram	Powell
Adams	Edwards	Jenkins	Ramey
Albee	Engel	Johnson (Hardaway)	Rast
Bassett	Ford	Johnson (J. T. Tom)	Ray
Bevill	Franklin	Johnson (Leonard)	Reynolds (Chambers)
Bishop	Gilchrist	Jones (Monroe)	Rogers (Macon)
Brannan	Gilmer	Lee	Rogers (Mobile)
Branyon	Glass	McClendon (Chambers)	Salter
Brewer	Goldthwaite	McCorquodale	Sessions
Britton	Gordon	McLendon (Bullock)	Shumate
Brooks	Grant	Martin	Solomon
Cabiness	Gross	Meade	Sorrell
Callahan	Guthrie	Merrill	Speaks
Camp	Hanby	Murphy	Steagall
Casey	Hankins	Nettles	Sullivan
Cates	Hardy	Nichols	Taylor
Chambers	Harris	Oakley	Thomas
Daniel	Harvey	Oden	Torbert
Dickson	Hawkins	Owens	Vickers
Dodd	Hearn	Pierce	

—79

Nays:

Messrs.	Ferguson	Locke	Perry
Bailey	Jones (Covington)		

—5

Mr. Bishop offered the following amendment to the bill, H. 163, as amended:

AMENDMENT TO H. B. 163, AS AMENDED

In Section 1, add the following sentence:

Such terms shall also include the sale or sales of bagging and ties used in preparing cotton for market.

And the amendment was adopted.

Yeas 62; Nays 28.

Yeas:

Messrs.	Cates	Harris	Owens
Adams	Daniel	Harvey	Powell
Albea	Dickson	Hearn	Pruitt
Avery	Dodd	Johnson (Hardaway)	Ramey
Barnett	Edwards	Johnson (J. T. Tom)	Ray
Bevill	Engel	Johnston (Leonard)	Rogers (Macon)
Bishop	Ford	Lee	Salter
Brannan	Gilchrist	Long (Perry)	Shumate
Branyon	Gilmer	McClendon (Chambers)	Solomon
Brewer	Glass	McLendon (Bullock)	Sorrell
Broadfoot	Goldthwaite	Martin	Speaks
Brooks	Gordon	Meads	Steagall
Cabiness	Grant	Merrill	Sullivan
Callahan	Gross	Nichols	Taylor
Camp	Guthrie	Oakley	Turner
Casey	Hankins	Oden	

—62

Nays:

Mr. Speaker	Franklin	Morrow	Rogers (Mobile)
Bailey	Goodwyn	Murphy	Sessions
Britton	Grouby	Perry	Smith (Russell)
Chambers	Ingram	Pierce	Thomas
Cornett	Jones (Covington)	Rast	Torbert
Dunn	Locke	Reynolds (Chambers)	Turnham
Ferguson	McCorquodale	Roberts	Vickers

—28

And said bill, H. 163, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 25.

Yeas:

Mr. Speaker	Bishop	Callahan	Dodd
Adams	Brannan	Camp	Edwards
Albea	Branyon	Casey	Engel
Avery	Brewer	Cates	Ferguson
Barnett	Brooks	Daniel	Ford
Bevill	Cabiness	Dickson	Franklin

Gilchrist	Hearn	Merrill	Roberts
Gilmer	Ingram	Nettles	Rogers (Macon)
Glass	Jenkins	Nichols	Rogers (Mobile)
Goldthwaite	Johnson (J. T. Tom)	Oakley	Salter
Gordon	Johnson (Leonard)	Oden	Shumate
Grant	Lee	Owens	Solomon
Gross	Long (Perry)	Powell	Sorrell
Guthrie	McClendon (Chambers)	Pruitt	Sullivan
Hankins	McLendon (Bullock)	Ramey	Taylor
Harris	Martin	Rast	Turner
Harvey	Meade	Ray	Vickers

—68

Nays:

Messrs.	Grouby	Morrow	Smith (Russell)
Bailey	Hanby	Murphy	Speaks
Bassett	Hawkins	Perry	Steagall
Britton	Johnson (Hardaway)	Pierce	Thomas
Cornett	Jones (Covington)	Reynolds (Chambers)	Torbert
Dunn	Locke	Sessions	Turnham
Goodwyn	McCorquodale		

—25

MOTION TO ADJOURN ADOPTED

The motion of Mr. Smith (Russell) that when the House adjourns today it adjourns to meet again Friday, July 13, 1962, at two o'clock P. M. was adopted.

Yeas 55; Nays 37.

Yeas:

Mr. Speaker	Franklin	Jones (Covington)	Pruitt
Adams	Gilchrist	Lee	Ramey
Avery	Gilmer	Locke	Rast
Bailey	Goldthwaite	McClendon (Chambers)	Ray
Barnett	Goodwyn	McCorquodale	Roberts
Bevill	Grant	McLendon (Bullock)	Rogers (Mobile)
Branyon	Guthrie	Martin	Sessions
Callahan	Hain	Meade	Smith (Russell)
Casey	Hanby	Merrill	Solomon
Cornett	Hardy	Morrow	Torbert
Daniel	Harris	Oden	Turner
Dunn	Harvey	Perry	Turnham
Edwards	Ingram	Pierce	Vickers
Ferguson	Johnson (Hardaway)	Powell	

—55

Nays:

Messrs.	Cates	Hankins	Rogers (Macon)
Albea	Copeland	Hawkins	Salter
Bassett	Dickson	Johnson (J. T. Tom)	Shumate
Bishop	Dodd	Johnson (Leonard)	Sorrell
Brannan	Engel	Long (Perry)	Speaks
Brewer	Ford	Murphy	Steagall
Britton	Glass	Oakley	Sullivan
Brooks	Gordon	Owens	Taylor
Cabiness	Gross	Reynolds (Chambers)	Thomas
Camp	Grouby		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 44. Relative to the recent illness of Hugh Sparrow.

Also:

H. J. R. 45. Relative to the heroic action of Police Officer Gene Hayden Youngblood who died saving the life of woman store-keeper.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 112. To authorize and provide for the establishment of a junior college to be located in any county having a population of not less than 65,000 nor more than 95,000 inhabitants; to create a board of trustees to govern such college; to authorize the board of trustees to select the location for such college, name it, appoint a president and certain other officers therefor, and prescribe rules and regulations to govern the college; to constitute the college a body corporate upon compliance with certain conditions; to authorize the board of trustees to accept gifts, donations, devises, and bequests; and to buy, hold, sell or otherwise dispose of real and personal property for and in the name of the college; to authorize the governing body of any such county and of each incorporated municipality in any such county to make appropriations of public funds in aid of the college; to authorize the board of education of any such county and the board of education of any incorporated municipality therein to use public school funds in aid of such college and to provide transportation and certain other facilities to students attending the college; to exempt from taxation the property of the college; and to exempt officers and employees of the college from certain civil duties and from certain municipal privilege licenses.

Also:

H. 175. To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties.

Also:

H. 176. To provide further for the purging the lists of registered voters in Chilton County; requiring and prescribing the procedure for the

re-identification of registered voters; placing certain duties on the Board of Registrars, Judge of Probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Also:

H. 183. Relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Also:

H. 182. Relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Also:

H. 181. Relating to the municipality of Weston, in Marion County, Alabama: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Weston, Marion County, Alabama.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Webb:

S. 86. Relating to Escambia County; authorizing the County to pay the cost of publishing in two newspapers of general circulation in the county the notice required to be published by the tax assessor that the assessed valuations of all property listed for taxation have been fixed and of the date the board of equalization will sit to consider protests, as provided by Title 51, Section 106 of the 1940 Code of Alabama as Recompiled in 1958; the notice required to be published by the tax assessor and tax collector of the date and time they will visit the various voting places in the county for the receiving of tax returns and collections of taxes as provided by Sections 38 and 189 of Title 51 of the 1940 Code of Alabama as Recompiled in 1958; and for the publishing of the schedule of assessments for automobiles in said county.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA ESCAMBIA COUNTY

Notice is hereby given that at the special session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Escambia County; authorizing the County to pay the cost of publishing in two newspapers of general circulation in the county the notice required to be published by the tax assessor that the assessed valuations of all property listed for taxation have been fixed and of the date the board of equalization will sit to consider protests, as provided by Title 51, Section 106 of the 1940 Code of Alabama as Recompiled in 1958; the notice required to be published by the tax assessor and tax collector of the date and time they will visit the various voting places in the county for the receiving of tax returns and collections of taxes as provided by Sections 38 and 189 of Title 51 of the 1940 Code of Alabama as Recompiled in 1958; and for the publishing of the schedule of assessments for automobiles in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue, Court of County Commissioners, or other like governing body of Escambia County may pay from the General Fund of said county the cost of publishing in two newspapers of general circulation in Escambia County the following notices: (a) The notice required to be published by the tax assessor that the assessed valuations of all property listed for taxation have been fixed and of the date the board of equalization will sit to consider protests, as provided by Section 106, Title 51, of the 1940 Code of Alabama as Recompiled in 1958.

(b) The notice required to be published by the tax assessor and the tax collector of the date and time they will visit the various voting places in the county for the receiving of tax returns and the collection of taxes as provided by Sections 38 and 189 of Title 51 of the 1940 Code of Alabama as Recompiled in 1958. It is further provided that these published notices and the bills which are posted to give notice may also contain the schedule of the visits to be made to the voting places by the Judge of Probate for the purpose of issuing licenses, tags and conducting other business in connection with this office.

(c) The schedule of assessments showing the amount due as taxes for automobiles assessed in said county.

Section 2. This Act shall not affect the times at which said notices are to be published. It is intended only to authorize the payment by the county of the costs of publishing such notices in two newspapers of general circulation in the county, rather than in one such newspaper as now prescribed by law and to provide for and authorize the inclusion of the schedule of visits by the Judge of Probate and for the publishing of the assessment schedule for automobiles.

Section 3. Before any such notice is published prior approval must be obtained by the county officials involved from the Board of Revenue, Court of County Commissioners or other like governing body of the county as to the size and cost of such notices and any other matters connected with the publishing thereof.

Section 4. All laws or parts of laws which conflict with the provisions of this Act are, to the extent of such conflict, hereby repealed.

Section 5. The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA ESCAMBIA COUNTY

I, Tom Gardner, owner and publisher of The Brewton Standard, hereby certify that the attached notice is a true and correct copy of notice published in said Brewton Standard once a week for four consecutive weeks, namely in the issues of June 14, 1962, June 21, 1962, June 28, 1962, July 5, 1962.

I further certify that the said Brewton Standard is a newspaper printed in the English language in Escambia County, Alabama; that said newspaper has a general circulation in the county in which it is published, and has been mailed under the second class mailing privilege of the United State Post Office Department from the Post Office at Brewton, Alabama, where it is published, for more than 52 consecutive weeks.

TOM GARDNER,
By TOM GARDNER.

Subscribed and sworn to before me this 5 day of July, 1962.

AMY B. CORPENING,
Notary Public, State at Large, Ala.

Also:

By Mr. Eddins:

S. 85. To apply only in counties having populations of not less than 27,000 nor more than 29,000; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of cat-fish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken; prescribing penalties.

Also:

By Mr. Moses:

S. 90. Proposing an amendment to the Constitution of Alabama relative to levying property taxes for public school purposes in Franklin County.

Also:

By Mr. Word:

S. 91. To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 ac-

ording to the 1960 or any subsequent federal decennial census, from making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of passing vehicles, unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use.

Also:

By Mr. Word:

S. 92. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for any county in this State which has a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal decennial census.

Also:

By Mr. Webb:

S. 54. To appropriate from any funds in the State Treasury to the credit of the General Fund not otherwise appropriated, the sum of \$175,000.00 for the purpose of constructing and equipping a recreational building at Gulf State Park and to further provide for such construction.

Also:

By Mr. Barnett:

S. 89. To alter, rearrange and extend the boundaries and corporate limits of the City of Ozark, Dale County, Alabama, so as to annex certain territory to the city.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION
TO APPLY FOR LOCAL
ACT

Notice is hereby given that the undersigned hereby intends to apply for the adoption of a local act of the Legislature to increase the corporate limits of the City of Ozark, said act to be substantially as follows:

AN ACT

To alter, rearrange, and extend the boundaries of the City of Ozark in Dale County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Boundaries of the City of Ozark in Dale County are hereby altered, rearranged, and extended on the south and southwest to include within the corporate limits of the City of Ozark the following described property:

All that portion of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 7, T5N, R24E, lying East of the Ozark to Fort Rucker Highway, the portion of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 7, T5N, R24E lying east of said Ozark to Fort Rucker Highway; the west 20 acres of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, and that portion of the N $\frac{1}{2}$ of NW $\frac{1}{4}$ lying east and south of said Ozark-Fort Rucker highway; that portion of the S $\frac{1}{2}$ of NW $\frac{1}{4}$ lying east and south of said Ozark-Fort Rucker highway; the west 20 acres of the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, and that portion of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ lying east and south of said Ozark-Fort Rucker Road; and the SW $\frac{1}{4}$ of SW $\frac{1}{4}$, all in Sec. 18, T5N, Range 24E; also that portion of the E $\frac{1}{2}$ of SE $\frac{1}{4}$, Sec. 13, T5N, Range 23E, lying east and south of the Ozark-Fort Rucker Road; NW $\frac{1}{4}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$ of NW $\frac{1}{4}$, NW $\frac{1}{4}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SW $\frac{1}{4}$, all in Sec. 19, T5N, Range 24E; That portion of Sec. 24, T5N, R23E, lying east of the said Ozark-Fort Rucker Road.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
DALE COUNTY

Before me the undersigned authority in and for said County and State, personally appeared John Q. Adams who being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for 4 consecutive weeks, said notice having appeared in the issue of said paper on June 14, 21, 28, and July 5, 1962.

JOHN Q. ADAMS,
Publisher.

Sworn to and subscribed before me on this the 9 day of July, 1962.

HENRY B. STEAGALL II,
Notary Public.

Also:

By Mr. Dumas:

S. 88. For the relief of H. E. Bryant; providing that the board of managers of the City of Birmingham retirement and relief system, established by Act No. 929 of the regular session of the legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, Page 1579, et seq.), shall have six months from the effective date of this Act in which to take action on the application of H. E. Bryant for extraordinary disability allowance.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the present special session of the Legislature of Alabama, for introduction and passage of a Bill the substance of which, as distinguished from details, is and will be the substance, as distinguished from detail of the following:

A BILL
TO BE ENTITLED
AN ACT

Notice is hereby given that at the Special Session of the Legislature of Alabama which convened at the State Capitol on June 12, 1962, there will be made to the Legislature application for the enactment of a special act for the relief of H. E. Bryant, which said special act will provide that the Board of Managers of the City of Birmingham Retirement and Relief System established by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, page 1579, et seq.) shall have six months from the effective date of the said special act in which to take action on the application of the said Bryant for extraordinary disability allowance under said Act No. 929.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 16, 23, 30, July 7, 1962, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 10 day of July, 1962.

W. N. WESTBROOK, JR.,
Notary Public.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 86. Local Legislation No. 1.

S. 85. Local Legislation No. 1.

S. 90. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

S. 91. Local Legislation No. 1.

S. 92. Local Legislation No. 1.

S. 54. State Administration.

S. 89. Local Legislation No. 1.

S. 88. Local Legislation No. 2.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 41. Relative to Miss Roberta Alison winning the Women's National Collegiate Tennis Championship.

Also:

H. J. R. 35. Creating a Commission on Constitutional Government.

Also:

H. J. R. 42. Relative to the marketing and sale of crude oil produced in the Citronelle oil field.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 162. To authorize and direct the Alabama Education Authority to allocate and distribute equally among the several counties of the State the earnings or income from the investment of that part of the proceeds of its bonds not currently needed for the purpose for which such bonds were issued.

VIRGIS M. ASHWORTH,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:20 P.M. On July 12, 1962

H. J. R. 34.

H. 159.

H. 173.

H. 106.

H. 150.

H. J. R. 37.

H. J. R. 38.

Delivered to the Governor at 2:45 P.M. On July 12, 1962

H. J. R. 33.

H. J. R. 36.

OAKLEY MELTON, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Pruitt, the House, in accordance with the motion of Mr. Smith (Russell) heretofore adopted, adjourned until Friday, July 13, 1962, at two o'clock P.M.

SEVENTEENTH DAY

House of Representatives
Montgomery, Alabama
Friday, July 13, 1962

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Hugh E. Wilson, Jr., Pastor, St. James Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards	Johnston (Leonard)	Ramey
Adams	Engel	Jones (Covington)	Rast
Albea	Ferguson	Jones (Monroe)	Ray
Avery	Ford	Lee	Reynolds (Chambers)
Bailey	Franklin	Locke	Reynolds (Madison)
Barnett	Gilchrist	Long (Lauderdale)	Roberts
Bassett	Gilmer	Long (Perry)	Rogers (Macon)
Bevill	Glass	McClendon (Chambers)	Rogers (Mobile)
Bishop	Goldthwaite	McCorquodale	Salter
Branyon	Goodwyn	McLendon (Bullock)	Sessions
Brewer	Grant	Martin	Shumate
Britton	Gross	Meade	Smith (Russell)
Broadfoot	Grouby	Merrill	Smith (St. Clair)
Brooks	Guthrie	Morrow	Solomon
Cabiness	Hain	Murphy	Sorrell
Callahan	Hanby	Nettles	Speaks
Camp	Hankins	Nichols	Steagall
Casey	Hardy	Oakley	Sullivan
Cates	Harris	Oden	Taylor
Copeland	Hawkins	Owens	Thomas
Cornett	Hearn	Perry	Torbert
Daniel	Ingram	Pierce	Turner
Dickson	Jenkins	Powell	Turnham
Dodd	Johnson (Hardaway)	Pruitt	Vickers
Dunn	Johnson (J. T. Tom)		

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Jones (Monroe) leave of absence was granted to Mr. Rozelle because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Sixteenth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the Sixteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Sixteenth legislative day was approved.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Pruitt:

H. J. R. 48. Whereas, the Legislative Journals of the House and Senate for 1961 Regular and Special Sessions were larger than ever be-

fore and were created to a great extent all at once by the heavy closing days of the Regular Session and the five straight day Special Session, and

Whereas, it is necessary to print and bind the Journals in more than two volumes, now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the printer be and is hereby authorized and directed to print and bind the House and Senate Journals for the 1961 Regular and Special Sessions in as many volumes as necessary to afford a practical and usable size book in each volume.

Be it further resolved that the time allowed for the delivery of such printed Journals to the Secretary of State is hereby extended to August 17, 1962.

On motion of Mr. Pruitt the rules were suspended and H. J. R. 48 was adopted.

Also:

By Mr. Pruitt:

H. J. R. 49. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Secretary of the Senate, the Clerk of the House, the Secretary of State and the doorkeepers of the Senate and House be and they are hereby relieved of any responsibility for the Codes, Supplements, Acts, Journals and any other books furnished to the members of the Legislature, and

BE IT FURTHER RESOLVED that the Secretary of the Senate and the Clerk of the House be and they are hereby relieved of any responsibility for the legislative payrolls of this session of the Alabama Legislature and said payrolls as submitted and paid are hereby approved.

On motion of Mr. Pruitt the rules were suspended and H. J. R. 49 was adopted.

Also:

By Messrs. Perry and Rogers (Mobile):

H. J. R. 50. WHEREAS the selection of the United States' representative to defend the challenge for the America's Cup is now being conducted in the highest tradition of the sea and of American sport, and

WHEREAS the people of Alabama share with the people of New England and with all Americans the inheritance of these proud traditions,

NOW THEREFORE BE IT RESOLVED that a knowledgeable Alabama yachtsman be designated by the Governor of Alabama to be the official representative of the people of Alabama to attend and observe in their name the challenge races for the America's Cup,

BE IT FURTHER RESOLVED that such official representative be empowered and authorized to name a group of not more than five persons to accompany him, and that the names of these persons together

with a copy of this resolution be sent to the Commodore of the New York Yacht Club by the Clerk of the House of Representatives of Alabama with a request that they be assisted in securing suitable accommodations and observation opportunities for the racing,

BE IT FURTHER RESOLVED that such group of persons be known as the Semmes Committee in honor of Admiral Raphael Semmes, CSN and that the Semmes Committee be and it hereby is requested to report to the Regular Session of the Legislature in 1963 on the feasibility of an expanded program of sailing yacht racing in Alabama waters.

On motion of Mr. Perry the rules were suspended and H. J. R. 50 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 123. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 20,500 nor more than 21,850 according to the last or any subsequent federal decennial census.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Pruitt the House concurred in and adopted the Senate substitute to the bill, H. 123, said Senate substitute being as follows:

FINANCE AND TAXATION COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 123

A BILL TO BE ENTITLED AN ACT

To fix additional compensation and allowance of certain election officers in every county of the state having a population of not less than 20,500 nor more than 21,850 according to the last or any subsequent federal decennial census.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This Act shall apply to each county of the state having a population of not less than 20,500 nor more than 21,850 according to the last or any subsequent federal decennial census.

Section 2. Election officers who are appointed and serve under provisions of Chapter 1, Title 17, Code of Alabama 1940, as amended, shall receive additional compensation and allowances as follows: the returning officer and the inspectors and clerks shall each be entitled to an additional

five dollars (\$5.00); the several claims shall be paid as preferred claims, out of moneys in the county treasury not otherwise appropriated, on proper proof of service rendered, and shall be paid from county funds only and for which there shall be no reimbursement.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Owens
Adams	Dodd	Johnson (J. T. Tom)	Perry
Albea	Dunn	Johnston (Leonard)	Pierce
Avery	Edwards	Jones (Covington)	Powell
Bailey	Engel	Jones (Monroe)	Ramey
Barnett	Ferguson	Lee	Rast
Bevill	Ford	Locke	Ray
Bishop	Franklin	Long (Lauderdale)	Reynolds (Madison)
Branyon	Gilchrist	Long (Perry)	Rogers (Mobile)
Brewer	Gilmer	McClendon (Chambers)	Salter
Britton	Glass	McCorquodale	Sessions
Broadfoot	Goldthwaite	McLendon (Bullock)	Shumate
Brooks	Grant	Martin	Smith (Russell)
Cabiness	Grouby	Meade	Sorrell
Callahan	Hain	Merrill	Steagall
Camp	Hanby	Morrow	Sullivan
Casey	Hankins	Murphy	Taylor
Copeland	Hardy	Nettles	Thomas
Cornett	Harris	Nichols	Turnham
Daniel	Hawkins	Oakley	Vickers

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MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 9. To amend Sections 1, 2, and 3 of Act No. 530, Acts of Alabama Regular Session 1949, Page 835, "Relating to public health; to regulate through licensure hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act", so as to include domiciliary institutions, homes for the aged, intermediate institutions, and related institutions.

Also:

S. 10. To appropriate to the State Department of Public Health for the fiscal year ending September 30th, 1963, the additional sum of seven thousand five hundred dollars (\$7,500) for administering expanded licensure responsibilities pursuant to Senate Bill 9.

Also:

S. 29. Proposing an amendment to the Constitution of Alabama relating to legislative apportionment.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 112. To authorize and provide for the establishment of a junior college to be located in any county having a population of not less than 65,000 nor more than 95,000 inhabitants; to create a board of trustees to govern such college; to authorize the board of trustees to select the location for such college, name it, appoint a president and certain other officers therefor, and prescribe rules and regulations to govern the college; to constitute the college a body corporate upon compliance with certain conditions; to authorize the board of trustees to accept gifts, donations, devises, and bequests; and to buy, hold, sell or otherwise dispose of real and personal property for and in the name of the college; to authorize the governing body of any such county and of each incorporated municipality in any such county to make appropriations of public funds in aid of the college; to authorize the board of education of any such county and the board of education of any incorporated municipality therein to use public school funds in aid of such college and to provide transportation and certain other facilities to students attending the college; to exempt from taxation the property of the college; and to exempt officers and employees of the college from certain civil duties and from certain municipal privilege licenses.

Also:

H. 175. To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties.

Also:

H. 176. To provide further for the purging the lists of registered voters in Chilton County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the Board of Registrars, Judge of Probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Also:

H. 181. Relating to the municipality of Weston, in Marion County,

Alabama: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Weston, Marion County, Alabama.

Also:

H. 182. Relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Also:

H. 183. Relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 35. Relative to creating a commission to be known as the Commission on Constitutional Government.

Also:

H. J. R. 41. Relative to congratulating Miss Roberta Alison.

Also:

H. J. R. 42. Relative to the marketing and sale of crude oil produced in the Citronelle oil field.

Also:

H. J. R. 44. Relative to expressing good wishes for the recovery of Mr. Hugh Sparrow.

Also:

H. J. R. 45. Relative to requesting the Carnegie Hero Fund Com-

mission to consider the late Gene Hayden Youngblood for one of its awards for heroism.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

POINT OF PERSONAL PRIVILEGE

On the request of Mr. Ramey the following was ordered inserted in the Journal:

(The Greensboro Watchman, Thursday, July 12, 1962)

WHY BLAME THE LEGISLATURE? IT'S STILL AN IMPOSSIBLE JOB

We grow a bit weary when the editorialists, with platitudinous monotony, rail and rant against the Legislature for failing to reapportion itself.

The Legislature cannot reapportion itself, nor can any editorial writer living in Alabama today do it, nor can any political scientist, any mathematician, or any federal judge do it — that is, under the formula to which they would all be committed, namely the Constitution of 1901.

The Legislature is told by the Constitution of 1901 to reapportion itself, but the Legislature cannot do it because the Constitution of 1901 simply does not fit the conditions of 1962. Suppose there appeared on the high school football field a 210-pound tackle, only to be told by the coach that he was out of uniforms and that he (the 210-pound tackle) would have to use the uniform which he had worn when he played, aged 12, at 85 pounds. That kid's uniform will not fit a grown man weighing 210 pounds, and there's no way to stretch it or to alter it — so his only recourse, if he cannot get another uniform built to his modern frame, is to quit and go home. That's exactly the predicament in which the Legislature finds itself today. If it cannot get a new suit from the people — meaning action on a constitutional basis — it may as well quit and go home, as no amount of editorial hell-raising is going to make that Constitution of 1901 fit this state in 1962.

* * *

The charge is often made that the members of the Legislature have "violated their oaths of office", which, of course, they have done, but it has been done in ignorance and innocence on their part. It is even more appalling to see how few editorial writers seem ever to have read the Constitution of 1901 and its provisions for reapportionment, but when and if

they do get around to it, they are going to learn that it's not the Legislature at fault, but the Constitution itself which, with our expanding population, has grown into a document which is now a series of contradictions, maladjustments and prohibitions which make reapportionment by the Legislature itself an utter and total impossibility. If those who framed the Constitution of 1901 really expected reapportionment under its inhibiting provisions, they might have gone just one more step along the way of logic, and proclaimed that no constitutional convention be held in the future unless it is held on the moon. Silly? **Certainly it's silly, but not a bit sillier than the Constitution of 1901 on legislative apportionment.**

It is possible, of course, to do away with some of the gross inequities by disallowing a senator for such counties as Lowndes and Wilcox, and this should be done, but there are countless other gross inequities which must remain, if we reapportion under the Constitution, and these should be equally subject to attack in the federal courts. Does anyone mean to tell us, for instance, that it is not still a gross inequity, in utter contravention of the constitutional provision that both houses be based on population, when Jefferson is allotted only one senator, with 634,000 people, and Talladega, with only 65,000, or hardly more than one-tenth as many people, also gets a full-time senator? And what about poor old Lauderdale, with only 3,300 fewer than Talladega, having to share a senator with populous Limestone. These are not illustrations picked out of the thin air; this is how the Senate would be divided in the Crawford-Webb bill which has already passed the upper house.

There are only two possible methods for successful reapportionment, and neither can be done by the Legislature alone. They must be passed upon by the full electorate.

These two methods are:

1. Change by constitutional amendment. The Constitution provides that both houses be based on population, and therein lies a lot of our trouble. There is a strong feeling that the Senate, at least, should be based on geography, but this cannot be done under the last sentence of Section 284. This sentence provides: "Representation in the Legislature shall be based upon population, and such basis of representation shall not be changed by constitutional amendment". Let us grant that this prohibition must be followed, as some on our state courts believe. But is there a prohibition against eliminating this prohibition? Why not just offer an amendment striking the final sentence of Section 284 from the Constitution, and then proceed with reapportionment by statute, under the Constitution, or by constitutional amendment if necessary.

2. The alternative is a constitutional convention. This is a fair and sensible way, and only Jim Folsom seems to have had the courage to espouse it, but the Legislature is confronted with an ugly job in determining how the convention is to be constituted.

* * *

In the meantime, we insist that the members of the Legislature are earning every penny they pay themselves, as long as they have to put up with, in the public prints, such reckless charges and editorial inanities as continue to pour from our presses. We defy any editor in Alabama — daily, weekly or monthly — to submit a reapportionment plan, under the Constitution of 1901, which we cannot pick to pieces in thirty seconds. We also defy any panel of three or thirty federal judges, no matter how learned and experienced — two qualifications often ignored today in appointments to the bench — to set up a system of reapportionment under the Consti-

tution of 1901 which will meet the very requirement which they lay down — the requirement of constitutionality.

It is time to quit worshipping at the false shrine of 1901. There are parts of the 1901 Constitution which were vital, and remain vital today, but as far as the sections on representation are concerned, it was the shoddiest document ever palmed off on the Alabama public. When we admit the fact that those provisions of 1901 are impossible of use in 1962, we will have gone a long way in doing away with sectional bitterness, the arraignment of the urban against the rural, and of this perpetual and silly vilification of the Legislature for failing to do a job which it cannot possibly do.

RESOLUTION

The following resolution was introduced:

By Mr. Cabiness:

H. J. R. 51. Whereas, the members of the Legislature have noted the dismissal of young Tommy Gallion from summer employment with the State Highway Department, and are unaware of any charges of misconduct, or that his work was in any way unsatisfactory, or that he had been accorded the benefit of prior notice or hearing, but to the contrary, that he was summarily and preemptorially discharged, and

Whereas, such action followed closely upon announcement that his father, Hon. McDonald Gallion, had instituted court proceedings involving grave charges of breach of public trust in the letting of a certain highway paint striping contract, and

Whereas, it is the desire of this legislature that the good name and reputation of young Tommy Gallion be not unjustly sullied by reason of any wrath which may have been incurred by his father while acting in his official capacity as the State Attorney General, and in accordance with his sworn duty as chief law enforcement officer of the State of Alabama, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That we sincerely regret the decision of those responsible for the discharge of Tommy Gallion and hereby express our full confidence in his character, integrity, and ability and wish him good luck and great success in his new employment.

BE IT FURTHER RESOLVED, That this legislature commend the Attorney General in his courageous and resolute action to enjoin waste and extravagance in State Government wherever it may occur, and in the diligent employment of his office to discover and uproot wrongdoing wherever it may be found.

BE IT FURTHER RESOLVED, That the Clerk of the House forward a copy of this resolution to Hon. McDonald Gallion, and Tommy Gallion, and to Hon. Sam Engelhardt.

The motion of Mr. Cabiness to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 51 was lost.

Yeas 9; Nays 10.

Yeas:

Messrs.	Broadfoot	Ferguson	Goldthwaite
Avery	Cabiness	Gilchrist	Smith (St. Clair)
Brewer	Dodd		

—9

Nays:

Mr. Speaker	Oden	Ray	Sullivan
Cornett	Perry	Smith (Russell)	Vickers
Ford	Fruitt		

—10

And said resolution H. J. R. 51 was read and referred to the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 85. To apply only in counties having populations of not less than 27,000 nor more than 29,000; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken; prescribing penalties.

S. 89. To alter, rearrange and extend the boundaries and corporate limits of the City of Ozark, Dale County, Alabama, so as to annex certain territory to the city.

S. 92. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for any county in this State which has a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal decennial census.

S. 91. To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census, from making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of passing vehicles, unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use.

S. 90. Proposing an amendment to the Constitution of Alabama relative to levying property taxes for public school purposes in Franklin County.

The above bill was read a second time at length as required by the Constitution.

Mr. Perry, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 88. For the relief of H. E. Bryant; providing that the board of managers of the City of Birmingham retirement and relief system, established by Act No. 929 of the regular session of the legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, Page 1579, et seq.), shall have six months from the effective date of this Act in which to take action on the application of H. E. Bryant for extraordinary disability allowance.

INTRODUCTION OF BILL

Upon a call of counties the following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Mr. Britton (With Notice and Proof):

H. 203. Relating to Washington County, directing the board of registrars to purge the list of registered voters; requiring and prescribing the procedure for the reidentification of registered voters, and providing a penalty for making a willfully false statement in connection with reidentification.

Local Legislation No. 1.

Notice and Proof H. 203:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF WASHINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(No. 6764:6/14/62)

A BILL TO BE ENTITLED AN ACT

Relating to Washington County, directing the board of registrars to purge the list of registered voters; requiring and prescribing the procedure for the reidentification of registered voters, and providing a penalty for making a willfully false statement in connection with reidentification.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA

Section 1. The board of registrars in Washington County is hereby directed to purge all lists of the qualified electors in the county to the end that the names of all who are deceased or non-residents of the county or have otherwise become disqualified from voting therein, shall be removed from such lists and to the end that the name of each qualified elector shall appear only on the list for the district and precinct in which he resides. Such lists shall be prepared alphabetically.

Section 2. The board of registrars shall omit and remove from the lists of qualified electors in the county the name of any person who fails to reidentify himself to the board of registrars in one of the ways herein-after provided before the first day of January, 1963; provided that no one who has registered as a qualified elector of the county since January 1, 1962 shall be required to reidentify himself. No person, removed from the list of qualified electors as herein provided shall cease to be a qualified elector nor be subject to re-registration, but shall be subject only to the requirement that he reidentify himself as a duly registered elector before being listed on the list of qualified electors in the county.

Section 3. A voter may reidentify himself in any one of the following ways:

(a) A voter may reidentify himself by appearing in person at the office of the board of registrars or the judge of probate or one of the duly authorized clerks of such board or judge of probate and answering such questions and submitting such proof as may be set forth hereinafter to establish the voter's identity and place of legal residence and that the voter has not become disqualified from voting in the county.

(b) A voter may reidentify himself at any election at which he votes prior to January 1, 1963, by answering and signing the questionnaire provided for in the presence of a clerk, manager, inspector, or returning officer at such election who also shall sign the questionnaire as an attesting witness. The returning officer shall transmit each signed questionnaire to the judge of probate for transmittal to the board of registrars.

(c) The board of the registrars or its duly authorized clerk shall visit each and every precinct in the county for the purpose of reidentifying voters, and a voter may reidentify himself by appearing in person before the board or the duly authorized clerk in any such precinct and answering such questions as are set forth in the questionnaire hereinafter detailed. Due notice of the date, time when, and place where of each such visit to each precinct for the purpose of reidentifying voters shall be given by publication in a newspaper of general circulation in the county for at least twenty days in advance of such visit, and by posting a copy of such notice in at least three public places in each precinct for the same length of time.

The board or duly authorized clerk shall be allowed one day in excess of the maximum, now provided by law, for each one hundred voters registered in each precinct for the purpose of reidentifying such voters. The board or duly authorized clerk shall be entitled to the same per diem allowances for such meetings as is in excess of the maximum now provided by law. The maximum number of days shall not exceed sixteen.

(d) A voter who is on active duty in any branch of the armed forces of the United States or the husband or wife of a member of the armed forces on active duty may also reidentify himself or herself by filling in and mailing to the judge of probate the completed answers to such questions as are set forth in the questionnaire hereinafter detailed, and the voter's signature to such questionnaire must be witnessed by a commissioned officer of the branch of the armed forces to which the voter is assigned.

Section 4. Any person who makes a willfully false statement in answer to any question on a reidentification questionnaire or in response to reidentification questions put to him by the board of registrars or its duly

authorized clerk; the judge of probate or his duly authorized clerk; or to the clerk, manager, inspector, or returning officer; or to a commissioned officer of the United States armed forces, is guilty of perjury, and upon conviction shall be punished by imprisonment in the penitentiary for not less than one year nor more than five years.

Section 5. The governing body of Washington County is hereby authorized and directed to furnish the board of registrars and the judge of probate the supplies, printed forms, advertisements, equipment and clerical help as is necessary for reidentification of voters in the county.

The questionnaire shall be in substantially the following form:

VOTERS REIDENTIFICATION QUESTIONNAIRE

_____, County, Alabama

Date: _____, 19____

Name _____
(First) (Middle) (Last)

Legal Residence Address: _____
(Street or Route)

City or Town: _____

State _____

Date of Birth: _____

Sex: _____ Color: _____

I now vote and I am a qualified elector in Precinct or Beat No. _____,
and I have not been disqualified from voting in the county.

I have resided in Precinct, Name or Beat No. _____
for the past three months. I vote at _____
Name of Place

Signed _____
(Signature of Voter)

State of _____

County of _____

Witnessed before me this the _____
day of _____, 19____.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this Act are repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WASHINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dalton Jackson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Washington County News, a newspaper of general circulation published in Washington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, June 28, July 5, and July 12, all in the year 1962.

DALTON JACKSON

Sworn to and subscribed before me July 12, 1962.

INEZ CARPENTER,
Title Notary Public.

BILLS ON THIRD READING

S. 57. To create a Local Government Commission in each county in the State having a population of 500,000 or more, according to the 1960 or any succeeding decennial Federal census, to provide for the membership, organization, functions, powers and duties of such Commission, to provide for the financing of such Commission's work by appropriation from the County and each municipality therein, and the receipt by the Commission of donations, to provide for the submission of recommended municipal mergers, annexations or changes in form of government to a vote of the qualified voters affected thereby, and in the event of a favorable vote, the effectuation of such mergers, annexations or changes in form of government and to provide for advisory referenda.

Was taken up.

Mr. Morrow offered the following amendment to the bill, S. 57:

AMENDMENT TO SENATE BILL NO. 57

The word "Commission" as a part of the name or designation of the agency created by the Act proposed by this bill is stricken in the Title and in the body of the bill and the word "Committee" is substituted therefor.

Section 3 is hereby amended by striking out the words "June 1 of the third year" in line 2 thereof and inserting in lieu thereof "one year".

Section 4 is hereby amended by striking out the first sentence of subsection (a) and inserting in lieu thereof "Recommendations concerning municipal mergers or annexations which might advantageously be made."

Section 7 is hereby amended by striking out the first sentence and inserting in lieu thereof "The Committee shall submit its report showing

its final findings and conclusions and the facts, data and reasons to support the same to the Legislature not later than one month after the convening of the next regular session thereof."

Sections 8 and 9 are hereby stricken out and eliminated completely and Sections 10, 11, 12, 13, 14 and 15 are renumbered accordingly.

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Daniel	Ingram	Powell
Adams	Dickson	Johnson (Hardaway)	Rast
Albea	Dodd	Johnston (Leonard)	Ray
Avery	Dunn	Jones (Covington)	Reynolds (Madison)
Bailey	Edwards	Jones (Monroe)	Roberts
Barnett	Ferguson	Lee	Rogers (Macon)
Bassett	Ford	Locke	Rogers (Mobile)
Bevill	Gilchrist	Long (Perry)	Salter
Bishop	Gilmer	McClendon (Chambers)	Sessions
Branyon	Glass	McCorquodale	Shumate
Brewer	Goldthwaite	McLendon (Bullock)	Smith (Russell)
Britton	Grant	Martin	Smith (St. Clair)
Broadfoot	Gross	Merrill	Sorrell
Brooks	Grouby	Morrow	Steagall
Cabiness	Guthrie	Murphy	Sullivan
Callahan	Hain	Nettles	Taylor
Camp	Hankins	Nichols	Thomas
Casey	Hardy	Oakley	Torbert
Cates	Harris	Owens	Turner
Copeland	Hawkins	Perry	Turnham
Cornett	Hearn	Pierce	Vickers

—84

Mr. Morrow offered the following amendment to the bill S. 57, as amended:

AMENDMENT TO SENATE BILL NO. 57

Section 2 of Senate Bill No. 57 is hereby amended to read as follows:

Section 2. The Committee shall be composed of fifteen members. The presidents of any private or denominational educational institutions of college or university rank located in the County shall be ex officio members of the Committee; provided if there are more than two such institutions, only the presidents of those two which shall have the largest number of students shall be members of the Committee. The remaining members of the Committee shall be appointed by the members of the House of Representatives who represent the County in the state legislature and the state senators from the senatorial districts in which the County shall be located, with a view to obtaining the services of patriotic citizens having some knowledge of or experience in the field of local government and with a view to obtaining reasonable geographical distribution throughout the County. Appointments shall, however, be made only from nominees which may be submitted by the following:

(a) Three nominees by the governing body of the County.

(b) Four nominees by the governing body of the largest municipality in the County.

(c) One nominee by the governing body of each of the other municipalities in the County.

(d) Three nominees by the County, council or group representative of all or substantially all labor organizations in the County.

(e) One nominee by any other County council or group representative of labor organizations in the County.

(f) Two nominees by the governing body of the largest and most representative group of business and professional men in the County, whose purpose is civic improvement.

(g) One nominee from each chamber of commerce or board of trade in the County, having a membership of fifty or more, other than the organization designated in the preceding sub-paragraph.

In addition nominations may also be made by petition signed by twenty-five or more qualified electors.

All nominations must be submitted in writing to the Judge of Probate of the County within thirty days after this act becomes applicable to the County. The Judge of Probate shall determine which nominations are properly submitted and prepare a list of all nominees and he shall call a meeting of the representatives of the County in the state legislature and the state senators for the senatorial districts in which the County shall be located in his office not later than one week after the last day for submitting nominations. The representatives and senators shall proceed to make the appointments required to complete the membership on the Committee.

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cates	Hankins	Meade
Adams	Copeland	Hardy	Merrill
Albea	Cornett	Harris	Morrow
Avery	Daniel	Hawkins	Murphy
Bailey	Dickson	Hearn	Nettles
Barnett	Dodd	Ingram	Nichols
Bassett	Dunn	Jenkins	Oakley
Bevill	Edwards	Johnson (Hardaway)	Owens
Bishop	Ford	Johnston (Leonard)	Perry
Branyon	Gilchrist	Jones (Covington)	Pierce
Brewer	Gilmer	Jones (Monroe)	Powell
Britton	Glass	Lee	Rast
Broadfoot	Grant	Locke	Ray
Brooks	Gross	Long (Lauderdale)	Reynolds (Madison)
Cabiness	Grouby	Long (Perry)	Roberts
Callahan	Guthrie	McClendon (Chambers)	Rogers (Macon)
Camp	Hain	McCorquodale	Rogers (Mobile)
Casey	Hanby	Martin	Salter

Sessions	Sorrell	Taylor	Turner
Shumate	Steagall	Thomas	Turnham
Smith (Russell)	Sullivan	Torbert	Vickers

—84

And said bill, S. 57, as thus amended, was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hearn	Pierce
Adams	Dodd	Ingram	Powell
Albea	Dunn	Johnson (Hardaway)	Rast
Avery	Edwards	Johnston (Leonard)	Ray
Bailey	Ferguson	Jones (Covington)	Reynolds (Madison)
Barnett	Ford	Jones (Monroe)	Roberts
Bassett	Gilchrist	Lee	Rogers (Macon)
Bevill	Gilmer	Locke	Rogers (Mobile)
Bishop	Glass	Long (Lauderdale)	Salter
Branyon	Goldthwaite	Long (Perry)	Sessions
Brewer	Goodwyn	McClendon (Chambers)	Shumate
Britton	Grant	McCorquodale	Sorrell
Broadfoot	Gross	Martin	Speaks
Brooks	Grouby	Merrill	Steagall
Cabiness	Guthrie	Morrow	Sullivan
Callahan	Hain	Murphy	Taylor
Camp	Hanby	Nettles	Thomas
Casey	Hankins	Nichols	Torbert
Cates	Hardy	Oakley	Turner
Copeland	Harris	Owens	Turnham
Daniel	Hawkins	Perry	Vickers

—84

S. 42 TEMPORARILY POSTPONED

On motion of Mr. Smith (St. Clair), consideration of the bill, S. 42, was temporarily postponed.

And the bill:

S. 38. Relating to inferior courts in counties having a population of not less than one hundred thousand nor more than one hundred fifteen thousand inhabitants; increasing the jurisdiction of such inferior courts of such counties from \$300 to \$500 in civil cases and providing additional compensation for the judge of such courts beginning with his next term of office in January, 1963.

As amended, was again taken up.

And said bill, S. 38, as amended, was read a third time at length and passed.

Yeas 81; Nays 1.

Yeas:

Mr. Speaker	Bailey	Bassett	Bishop
Albea	Barnett	Bevill	Branyon

Britton	Grant	Locke	Reynolds (Madison)
Broadfoot	Gross	Long (Lauderdale)	Roberts
Brooks	Grouby	Long (Perry)	Rogers (Macon)
Cabiness	Guthrie	McClendon (Chambers)	Rogers (Mobile)
Camp	Hain	McCorquodale	Salter
Casey	Hanby	Martin	Sessions
Copeland	Hankins	Merrill	Shumate
Cornett	Hardy	Morrow	Smith (St. Clair)
Daniel	Harris	Murphy	Sorrell
Dickson	Hawkins	Nettles	Speaks
Dodd	Hearn	Nichols	Steagall
Dunn	Ingram	Oakley	Sullivan
Edwards	Johnson (Hardaway)	Owens	Taylor
Engel	Johnson (J. T. Tom)	Perry	Thomas
Ferguson	Johnston (Leonard)	Pierce	Torbert
Ford	Jones (Covington)	Powell	Turner
Gilchrist	Jones (Monroe)	Rast	Turnham
Gilmer	Lee	Ray	Vickers
Glass			

—81

Nay:

Mr. Callahan

—1

H. 200 POSTPONED

On motion of Mr. Oden, consideration of the bill, H. 200, was postponed until the next legislative day.

And the bill:

H. 201. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 31,500 nor more than 33,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Broadfoot	Dodd	Grouby
Adams	Brooks	Dunn	Guthrie
Albea	Cabiness	Edwards	Hain
Bailey	Callahan	Engel	Hanby
Barnett	Camp	Ferguson	Hankins
Bassett	Casey	Ford	Hardy
Bevill	Cates	Gilchrist	Harris
Bishop	Copeland	Gilmer	Hawkins
Branyon	Cornett	Glass	Hearn
Brewer	Daniel	Grant	Ingram
Britton	Dickson	Gross	Johnson (Hardaway)

Johnson (J. T. Tom)	Merrill	Powell	Sorrell
Johnston (Leonard)	Morrow	Rast	Speaks
Jones (Covington)	Murphy	Ray	Steagall
Jones (Monroe)	Nettles	Reynolds (Madison)	Sullivan
Lee	Nichols	Roberts	Taylor
Locke	Oakley	Rogers (Macon)	Thomas
Long (Perry)	Oden	Rogers (Mobile)	Torbert
McClendon (Chambers)	Owens	Salter	Turner
McCorquodale	Perry	Sessions	Turnham
McLendon (Bullock)	Pierce	Shumate	Vickers
Martin			

—85

And the bill:

S. 75. To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties.

Was read a third time at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Dodd	Ingram	Pierce
Adams	Dunn	Johnson (Hardaway)	Powell
Albea	Edwards	Johnson (J. T. Tom)	Rast
Bailey	Engel	Johnston (Leonard)	Ray
Barnett	Ferguson	Jones (Covington)	Reynolds (Madison)
Bassett	Ford	Jones (Monroe)	Roberts
Bevill	Gilchrist	Lee	Rogers (Macon)
Bishop	Gilmer	Locke	Rogers (Mobile)
Branyon	Glass	Long (Lauderdale)	Salter
Brewer	Grant	Long (Perry)	Sessions
Broadfoot	Gross	McClendon (Chambers)	Shumate
Brooks	Grouby	McCorquodale	Speaks
Cabiness	Guthrie	Merrill	Steagall
Camp	Hain	Morrow	Sullivan
Casey	Hanby	Murphy	Taylor
Cates	Hankins	Nettles	Thomas
Copeland	Hardy	Nichols	Torbert
Cornett	Harris	Oakley	Turner
Daniel	Hawkins	Oden	Turham
Dickson	Hearn	Owens	Vickers

—80

And the bill:

S. 79. Relating to Perry County; providing for the election of members of the court of county commissioners, board of revenue, or other like governing body of Perry County by districts.

Was read a third time at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Dodd	Johnston (Leonard)	Powell
Adams	Dunn	Jones (Covington)	Rast
Albea	Edwards	Jones (Monroe)	Ray
Bailey	Engel	Lee	Reynolds (Madison)
Barnett	Ferguson	Locke	Roberts
Bassett	Ford	Long (Lauderdale)	Rogers (Macon)
Bevill	Gilchrist	Long (Perry)	Rogers (Mobile)
Bishop	Gilmer	McClendon (Chambers)	Salter
Branyon	Glass	McCorquodale	Sessions
Brewer	Grant	McLendon (Bullock)	Shumate
Britton	Grouby	Merrill	Sorrell
Brooks	Guthrie	Morrow	Speaks
Cabiness	Hanby	Murphy	Steagall
Camp	Hankins	Nettles	Sullivan
Casey	Hardy	Nichols	Taylor
Cates	Harris	Oakley	Thomas
Copeland	Hawkins	Oden	Torbert
Cornett	Hearn	Owens	Turner
Daniel	Ingram	Perry	Turnham
Dickson	Johnson (Hardaway)	Pierce	Vickers

—80

And the bill:

S. 82. Relating to the municipality of Haleyville, Winston County, Alabama: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Haleyville, Winston County, Alabama.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dunn	Johnson (J. T. Tom)	Powell
Adams	Edwards	Johnston (Leonard)	Rast
Albea	Engel	Jones (Covington)	Ray
Avery	Ferguson	Jones (Monroe)	Reynolds (Madison)
Bailey	Ford	Lee	Roberts
Barnett	Gilchrist	Locke	Rogers (Macon)
Bassett	Gilmer	Long (Perry)	Rogers (Mobile)
Bevill	Glass	McClendon (Chambers)	Salter
Bishop	Goldthwaite	McCorquodale	Sessions
Branyon	Goodwyn	McLendon (Bullock)	Shumate
Brewer	Grant	Martin	Solomon
Britton	Gross	Meade	Sorrell
Broadfoot	Grouby	Merrill	Speaks
Cabiness	Guthrie	Morrow	Steagall
Callahan	Hain	Murphy	Sullivan
Camp	Hanby	Nettles	Taylor
Casey	Hardy	Nichols	Thomas
Cates	Harris	Oakley	Torbert
Copeland	Hawkins	Oden	Turner
Daniel	Hearn	Owens	Turnham
Dickson	Ingram	Perry	Vickers
Dodd	Johnson (Hardaway)	Pierce	

—87

And the bill:

S. 78. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

Was read a third time at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Dodd	Johnson (Hardaway)	Pierce
Adams	Dunn	Johnson (J. T. Tom)	Powell
Albea	Edwards	Johnston (Leonard)	Rast
Avery	Engel	Jones (Covington)	Ray
Bailey	Ferguson	Jones (Monroe)	Reynolds (Madison)
Barnett	Ford	Lee	Roberts
Bassett	Gilchrist	Locke	Rogers (Macon)
Bevill	Gilmer	Long (Perry)	Rogers (Mobile)
Bishop	Glass	McClendon (Chambers)	Salter
Branyon	Goldthwaite	McCorquodale	Sessions
Brewer	Goodwyn	McLendon (Bullock)	Shumate
Britton	Grant	Martin	Solomon
Broadfoot	Grouby	Meade	Sorrell
Brooks	Guthrie	Merrill	Speaks
Cabiness	Hain	Morrow	Steagall
Callahan	Hanby	Murphy	Sullivan
Camp	Hankins	Nettles	Taylor
Casey	Hardy	Nichols	Thomas
Cates	Harris	Oakley	Thomas
Copeland	Hawkins	Oden	Turner
Cornett	Hearn	Owens	Turnham
Daniel	Ingram	Perry	Vickers
Dickson			

—89

And the bill:

S. 44. Proposing to amend Constitution of Alabama 1901 in relation to the distribution of certain state revenues and the right of exemptions or refunds.

Was taken up.

The motion of Mr. Brewer to postpone further consideration of the bill, S. 44, until the nineteenth legislative day was lost.

Yeas 39; Nays 50.

Yeas:

Messrs.	Camp	Goodwyn	Lee
Albea	Copeland	Grouby	Locke
Bailey	Cornett	Hain	Merrill
Bevill	Edwards	Hanby	Morrow
Brewer	Engel	Harris	Murphy
Broadfoot	Ferguson	Hawkins	Nichols
Callahan	Goldthwaite	Hearn	Perry

Pierce	Roberts	Smith (Russell)	Torbert
Rast	Rogers (Mobile)	Solomon	Turner
Reynolds (Madison)	Sessions	Thomas	Turnham

—39

Nays:

Mr. Speaker	Dodd	Jones (Covington)	Owens
Avery	Ford	Jones (Monroe)	Powell
Barnett	Franklin	Long (Lauderdale)	Pruitt
Bassett	Gilchrist	Long (Perry)	Ray
Bishop	Gilmer	McClendon (Chambers)	Rogers (Macon)
Branyon	Glass	McCorquodale	Salter
Britton	Grant	McLendon (Bullock)	Shumate
Brooks	Guthrie	Martin	Sorrell
Cabiness	Hankins	Meade	Steagall
Casey	Hardy	Nettles	Sullivan
Cates	Ingram	Oakley	Taylor
Daniel	Johnson (Hardaway)	Oden	Vickers
Dickson	Johnston (Leonard)		

—50

And the motion of Mr. Turnham to indefinitely postpone the bill, S. 44, was lost.

Yeas 40; Nays 48.

Yeas:

Messrs.	Engel	Hearn	Roberts
Albea	Ferguson	Lee	Rogers (Mobile)
Bailey	Ford	Locke	Sessions
Bevill	Goldthwaite	Merrill	Smith (Russell)
Brewer	Goodwyn	Morrow	Solomon
Broadfoot	Grouby	Murphy	Thomas
Callahan	Hain	Perry	Torbert
Casey	Hanby	Pierce	Turner
Copeland	Harris	Rast	Turnham
Cornett	Hawkins	Reynolds (Madison)	Vickers
Edwards			

—40

Nays:

Mr. Speaker	Dunn	Johnston (Leonard)	Oden
Avery	Franklin	Jones (Covington)	Owens
Barnett	Gilchrist	Jones (Monroe)	Powell
Bassett	Gilmer	Long (Lauderdale)	Pruitt
Branyon	Glass	Long (Perry)	Ray
Britton	Grant	McClendon (Chambers)	Rogers (Macon)
Brooks	Guthrie	McCorquodale	Salter
Cabiness	Hankins	McLendon (Bullock)	Shumate
Cates	Hardy	Martin	Speaks
Daniel	Ingram	Meade	Steagall
Dickson	Johnson (Hardaway)	Nettles	Sullivan
Dodd	Johnson (J. T. Tom)	Oakley	Taylor

—48

And said bill, S. 44, was read a third time at length and lost.

Yeas 53; Nays 35.

Yeas:

Mr. Speaker	Dodd	Jones (Covington)	Powell
Avery	Dunn	Jones (Monroe)	Pruitt
Barnett	Ford	Long (Lauderdale)	Ramey
Bassett	Gilchrist	Long (Perry)	Ray
Bishop	Gilmer	McClendon (Chambers)	Reynolds (Chambers)
Branyon	Glass	McCorquodale	Salter
Britton	Grant	McLendon (Bullock)	Shumate
Brooks	Guthrie	Martin	Sorrell
Cabiness	Hankins	Meade	Speaks
Callahan	Harris	Nettles	Steagall
Casey	Johnson (Hardaway)	Oakley	Sullivan
Cates	Johnson (J. T. Tom)	Oden	Taylor
Daniel	Johnston (Leonard)	Owens	Vickers
Dickson			

—53

Nays:

Messrs.	Engel	Ingram	Reynolds (Madison)
Albea	Ferguson	Lee	Roberts
Bailey	Goldthwaite	Locke	Rogers (Mobile)
Bevill	Goodwyn	Merrill	Sessions
Brewer	Grouby	Morrow	Smith (Russell)
Broadfoot	Hain	Murphy	Solomon
Copeland	Hanby	Perry	Thomas
Cornett	Hawkins	Pierce	Torbert
Edwards	Hearn	Rast	Turnham

—35

BILLS TEMPORARILY POSTPONED

On motion of Mr. Casey, consideration of the bill, S. 45, was temporarily postponed.

On motion of Mr. Rogers (Mobile), consideration of the bill, S. 58, was temporarily postponed.

And the bill:

S. 42. Relating to the office of solicitor of the Thirtieth Judicial Circuit; creating a solicitor's fund for the use of the circuit solicitor.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Bevill	Cabiness	Daniel
Adams	Bishop	Callahan	Dickson
Albea	Branyon	Camp	Dodd
Avery	Brewer	Casey	Dunn
Bailey	Britton	Cates	Ferguson
Barnett	Broadfoot	Copeland	Ford
Bassett	Brooks	Cornett	Franklin

Gilchrist	Johnston (Leonard)	Nichols	Sessions
Gilmer	Jones (Covington)	Oakley	Shumate
Glass	Jones (Monroe)	Oden	Smith (Russell)
Grant	Lee	Owens	Smith (St. Clair)
Grouby	Locke	Perry	Sorrell
Guthrie	Long (Lauderdale)	Pierce	Speaks
Hain	Long (Perry)	Pruitt	Steagall
Hanby	McClendon (Chambers)	Ramey	Sullivan
Hankins	McCorquodale	Rast	Taylor
Hardy	McLendon (Bullock)	Ray	Thomas
Harris	Meade	Reynolds (Madison)	Torbert
Hearn	Merrill	Roberts	Turner
Ingram	Morrow	Rogers (Macon)	Turnham
Johnson (Hardaway)	Murphy	Rogers (Mobile)	Vickers
Johnson (J. T. Tom)	Nettles	Salter	

—87

BILLS TEMPORARILY POSTPONED

On motion of Mr. Grouby, consideration of the bill, H. 3, was temporarily postponed.

On motion of Mr. Dodd, consideration of the bill, H. 34, was temporarily postponed.

And the bill:

S. 74. To provide for the study of ways and means of solving problems of mental health and mental retardation, creating a legislative committee for that purpose.

Was read a third time at length and passed.

Yeas 61; Nays 16.

Yeas:

Mr. Speaker	Dickson	Johnston (Leonard)	Ray
Adams	Dodd	Jones (Covington)	Reynolds (Madison)
Albea	Engel	Lee	Rogers (Macon)
Bailey	Ferguson	Locke	Rogers (Mobile)
Bassett	Franklin	McClendon (Chambers)	Salter
Bevill	Gilchrist	Martin	Sessions
Bishop	Gilmer	Meade	Smith (Russell)
Brewer	Glass	Merrill	Solomon
Britton	Gross	Morrow	Sorrell
Broadfoot	Guthrie	Murphy	Speaks
Cabiness	Hanby	Nichols	Sullivan
Callahan	Hardy	Owens	Thomas
Camp	Hearn	Perry	Turner
Cates	Ingram	Pierce	Turnham
Cornett	Johnson (J. T. Tom)	Pruitt	Vickers
Daniel			

—61

Nays:

Messrs.	Casey	Harris	Long (Perry)
Avery	Copeland	Johnson (Hardaway)	Ramey
Barnett	Grant	Jones (Monroe)	Rast
Branyon	Hankins	Long (Lauderdale)	Torbert
Brooks			

—16

And the bill:

S. 76. To authorize and direct the Alabama Education Authority to allocate and distribute certain funds to the county board of education of Coosa County for the purpose of erecting additional classrooms for negro schools, upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959.

Was taken up.

Mr. Branyon offered the following substitute for the bill, S. 76:

SUBSTITUTE FOR S. 76

A BILL TO BE ENTITLED AN ACT

To authorize and direct the Alabama Education Authority to allocate and distribute equally among the several counties of the State the earnings or income from the investment of that part of the proceeds of its bonds not currently needed for the purpose for which such bonds were issued.

Be It Enacted by the Legislature of Alabama:

Section 1. The Alabama Education Authority established under Act No. 126, H. 15, Second Special Session 1959, is hereby authorized and directed to allocate and distribute all moneys in the state treasury to the credit of such Authority heretofore or hereafter accruing from earnings or income from the investment of that part of the proceeds of any bonds issued by it which could not be immediately applied to the purpose for which such bonds were issued equally among the 67 counties of the state, to be used and expended by the county board of education for school building construction and other educational purposes.

Section 2. The Alabama Building Commission and the Alabama Education Authority shall each have the same powers and authority and shall perform the same duties relative to the use of money distributed pursuant to this Act as they have relative to funds distributed pursuant to said Act No. 126, H. 15, Second Special Session 1959.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or part of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mr. Franklin moved to lay on the table the substitute offered by Mr. Branyon.

Mr. Casey raised the point of order that the substitute offered by Mr. Branyon was not germane to the bill, S. 76.

The Chair ruled that the substitute offered by Mr. Branyon was germane to the bill, S. 76.

The question was then on the motion of Mr. Franklin to lay on the table the substitute offered by Mr. Branyon for the bill, S. 76, and said motion was adopted.

Yeas 44; Nays 43.

Yeas:

Messrs.	Franklin	Johnston (Leonard)	Rast
Adams	Gilmer	Jones (Covington)	Reynolds (Chambers)
Albea	Goldthwaite	Lee	Reynolds (Madison)
Bailey	Goodwyn	Locke	Rogers (Macon)
Brewer	Hain	McClendon (Chambers)	Rogers (Mobile)
Callahan	Hanby	McLendon (Bullock)	Salter
Camp	Hardy	Merrill	Smith (Russell)
Casey	Hawkins	Murphy	Sorrell
Copeland	Ingram	Nichols	Torbert
Edwards	Johnson (Hardaway)	Perry	Turnham
Engel	Johnson (J. T. Tom)	Pierce	Vickers
Ferguson			

—44

Nays:

Mr. Speaker	Cornett	Guthrie	Owens
Avery	Daniel	Hankins	Powell
Barnett	Dickson	Harris	Ramey
Bassett	Dodd	Hearn	Ray
Bevill	Dunn	Jones (Monroe)	Sessions
Bishop	Ford	Long (Lauderdale)	Shumate
Branyon	Gilchrist	Long (Perry)	Solomon
Britton	Glass	McCorquodale	Speaks
Broadfoot	Grant	Martin	Sullivan
Brooks	Gross	Morrow	Taylor
Cabiness	Grouby	Oakley	

—43

And said bill, S. 76, was read a third time at length and passed.

Yeas 65; Nays 25.

Yeas:

Mr. Speaker	Dickson	Harris	Murphy
Adams	Edwards	Hawkins	Nettles
Albea	Ferguson	Ingram	Nichols
Bailey	Ford	Johnson (Hardaway)	Oakley
Barnett	Franklin	Johnson (J. T. Tom)	Owens
Bishop	Gilmer	Johnston (Leonard)	Perry
Branyon	Goldthwaite	Jones (Covington)	Pierce
Brooks	Goodwyn	Lee	Powell
Callahan	Grant	Locke	Rast
Camp	Grouby	Long (Perry)	Ray
Casey	Hain	McClendon (Chambers)	Reynolds (Madison)
Cates	Hanby	McLendon (Bullock)	Roberts
Copeland	Hankins	Martin	Rogers (Macon)
Daniel	Hardy	Merrill	Salter

Smith (Russell)
Solomon
Sorrell

Steagall
Thomas

Torbert
Turner

Turnham
Vickers

—65

Nays:

Messrs.
Avery
Bevill
Brewer
Britton
Broadfoot
Cabiness

Cornett
Dodd
Engel
Gilchrist
Glass
Gross
Guthrie

Hearn
Jones (Monroe)
Long (Lauderdale)
Morrow
Ramey
Reynolds (Chambers)

Rogers (Mobile)
Sessions
Shumate
Speaks
Sullivan
Taylor

—25

RESOLUTION

The following resolution was introduced:

By Messrs. Shumate and Ramey:

H. J. R. 52. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Legislature warmly commends Honorable Hamner Cobbs, editor and publisher of that fine newspaper, The Greensboro Watchman, for the splendid editorial he recently wrote concerning reapportionment, which the House has ordered reprinted in its journal.

On motion of Mr. Shumate the rules were suspended and H. J. R. 52 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 151. To fix the compensation of the county solicitor of any county having a population of not less than 21,800 nor more than 21,950 according to the 1960 or any subsequent federal decennial census.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Barnett and Golson:

S. 87. To provide for the calling of a convention to revise and amend the constitution of this state.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, S. 87, the title to which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on State Administration.

BILLS ON THIRD READING RESUMED

S. 8. Proposing an amendment to the Constitution of Alabama relating to the mode of proposing constitutional amendments.

Was taken up.

Mr. Jones (Covington) offered the following amendment to the bill, S. 8:

Amendment to S. B. 8

In Section 1, strike out the last line, which reads "of the Governor.", and insert "of the Governor. Representation in the house of representatives of the legislature shall be based upon population."

Mr. Callahan raised a point of order that should the amendment offered by Mr. Jones (Covington) to the bill, S. 8, be adopted that it would then require that the bill remain on the Clerk's desk for two more readings on two additional legislative days.

The Chair ruled that the point of order by Mr. Callahan was well taken.

Mr. Jones (Covington) moved to withdraw the amendment offered by him to the bill, S. 8, and to postpone further consideration of the bill temporarily.

Mr. Murphy objected to the withdrawal of the amendment.

And then on motion of Mr. Jones (Covington) the amendment offered by him to the bill, S. 8, was laid upon the table.

Yeas 63; Nays 23.

Yeas:

Mr. Speaker	Cates	Hardy	McLendon (Bullock)
Adams	Daniel	Harris	Martin
Albea	Dickson	Hearn	Meade
Avery	Dodd	Ingram	Nettles
Barnett	Dunn	Johnson (J. T. Tom)	Oakley
Bassett	Ford	Johnston (Leonard)	Oden
Bevill	Gilmer	Jones (Covington)	Owens
Branyon	Glass	Jones (Monroe)	Pierce
Britton	Goldthwaite	Lee	Powell
Brooks	Grant	Long (Lauderdale)	Pruitt
Cabiness	Grouby	Long (Perry)	Ramey
Callahan	Hain	McClendon (Chambers)	Ray
Casey	Hankins	McCorquodale	Rogers (Macon)

Salter	Sorrell	Sullivan	Turnham
Shumate	Speaks	Taylor	Vickers
Solomon	Steagall	Thomas	

—63

Nays:

Messrs.	Cornett	Hawkins	Rast
Bailey	Edwards	Locke	Reynolds (Madison)
Bishop	Engel	Merrill	Roberts
Brewer	Ferguson	Morrow	Rogers (Mobile)
Broadfoot	Gilchrist	Murphy	Sessions
Copeland	Hanby	Perry	Torbert

—23

On motion of Mr. Jones (Covington), further consideration of the bill, S. 8, was temporarily postponed.

And the bill:

S. 53. To amend Section 1 of Act No. 388, approved September 9, 1955, entitled "An Act To Fix the Compensation of Certain State Officers".

Was taken up.

Mr. Dodd offered the following amendment to the bill, S. 53:

AMENDMENT TO S. B. 53

Strike out Section 2 of the bill and insert in lieu thereof the following:

Section 2. Code of Alabama 1940, Title 60, Section 7, as amended, is amended further to read as follows:

"The widow of any soldier or sailor in the service of the State of Alabama or the Confederate States of America such as is set forth in the preceding section, who was married to such soldier or sailor prior to January first, 1904, or was married to such soldier or sailor for at least one year prior to the time of his death, regardless of whether his death occurred before or after the effective date of this chapter; and who has not remarried except as provided in the following section, and who was not at the time of her husband's death separated from him by divorce or was not voluntarily living apart from her husband during the period of one year prior to his death and whose husband did not desert the service of the State of Alabama, or the Confederate States, and who is an actual bona fide resident of Alabama and has been such for a period of five years prior to the filing of said application shall be entitled to relief under the provisions of this chapter."

Also add a new section to the bill to read as follows:

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

And the amendment was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Dunn	Johnston (Leonard)	Rast
Adams	Edwards	Jones (Monroe)	Ray
Albea	Engel	Lee	Reynolds (Chambers)
Avery	Ferguson	Locke	Reynolds (Madison)
Bailey	Ford	Long (Perry)	Roberts
Barnett	Franklin	McClendon (Chambers)	Rogers (Macon)
Bassett	Gilchrist	McCorquodale	Rogers (Mobile)
Bevill	Gilmer	McLendon (Bullock)	Salter
Bishop	Glass	Martin	Sessions
Branyon	Goodwyn	Meade	Shumate
Britton	Grant	Merrill	Smith (Russell)
Broadfoot	Grouby	Morrow	Solomon
Brooks	Guthrie	Murphy	Sorrell
Cabiness	Hain	Nettles	Speaks
Callahan	Hanby	Nichols	Steagall
Camp	Hankins	Oakley	Sullivan
Casey	Hardy	Owens	Taylor
Cates	Harris	Perry	Thomas
Copeland	Hawkins	Pierce	Torbert
Cornett	Ingram	Powell	Turner
Daniel	Johnson (Hardaway)	Pruitt	Turnham
Dickson	Johnson (J. T. Tom)	Ramey	Vickers
Dodd			

—89

Mr. Turnham offered the following amendment to the bill, S. 53, as amended:

AMENDMENT TO S. B. 53

In Section 1, strike out the words and figures \$10,000 and insert in lieu thereof \$8,600.00.

On motion of Mr. Bishop the amendment offered by Mr. Turnham was laid upon the table.

Yeas 65; Nays 19.

Yeas:

Messrs.	Ford	Jones (Covington)	Ray
Adams	Franklin	Lee	Reynolds (Chambers)
Barnett	Gilchrist	Locke	Roberts
Bassett	Gilmer	Long (Lauderdale)	Rogers (Macon)
Bevill	Glass	Long (Perry)	Sessions
Bishop	Goodwyn	McLendon (Bullock)	Shumate
Brewer	Grant	Martin	Smith (Russell)
Britton	Grouby	Meade	Solomon
Broadfoot	Guthrie	Merrill	Sorrell
Brooks	Hain	Morrow	Steagall
Cabiness	Hanby	Nettles	Sullivan
Cates	Hankins	Oden	Taylor
Copeland	Hardy	Perry	Thomas
Daniel	Harris	Powell	Torbert
Dodd	Hawkins	Pruitt	Turner
Edwards	Ingram	Rast	Vickers
Engel	Johnson (J. T. Tom)		

—65

Nays:

Messrs.	Casey	Hearn	Owens
Albea	Cornett	Johnson (Hardaway)	Pierce
Avery	Dickson	Johnston (Leonard)	Salter
Bailey	Ferguson	Jones (Monroe)	Speaks
Callahan	Goldthwaite	Oakley	Turnham

—19

Mr. Turnham offered the following amendment to the bill, S. 53, as amended:

AMENDMENT TO S. B. 53

In Section 1, strike out the words and figures \$10,000 and insert in lieu thereof \$9,000.00.

On motion of Mr. Bishop the amendment offered by Mr. Turnham was laid upon the table.

Yeas 59; Nays 19.

Yeas:

Messrs.	Ford	Jones (Covington)	Ray
Adams	Gilchrist	Lee	Reynolds (Chambers)
Barnett	Gilmer	Locke	Roberts
Bassett	Glass	Long (Lauderdale)	Rogers (Mobile)
Bevill	Grant	Long (Perry)	Sessions
Bishop	Grouby	McLendon (Bullock)	Shumate
Brewer	Guthrie	Martin	Smith (Russell)
Britton	Hain	Meade	Solomon
Broadfoot	Hanby	Merrill	Sorrell
Brooks	Hankins	Morrow	Steagall
Cates	Hardy	Nettles	Sullivan
Daniel	Harris	Oden	Taylor
Dodd	Hawkins	Perry	Thomas
Edwards	Ingram	Powell	Torbert
Engel	Johnson (J. T. Tom)	Pruitt	Turner

—59

Nays:

Messrs.	Callahan	Goldthwaite	Owens
Albea	Casey	Johnson (Hardaway)	Pierce
Avery	Cornett	Johnston (Leonard)	Salter
Bailey	Dickson	Jones (Monroe)	Speaks
Cabiness	Ferguson	Oakley	Turnham

—19

And said bill, S. 53, as amended, was read a third time at length and passed.

Yeas 70; Nays 16.

Yeas:

Mr. Speaker	Barnett	Bevill	Branyon
Adams	Bassett	Bishop	Brewer

Britton	Grouby	McLendon (Bullock)	Rogers (Macon)
Broadfoot	Guthrie	Martin	Rogers (Mobile)
Brooks	Hain	Meade	Sessions
Cabiness	Hanby	Merrill	Shumate
Cates	Hankins	Morrow	Smith (Russell)
Daniel	Hardy	Nettles	Solomon
Dodd	Harris	Oden	Sorrell
Edwards	Hawkins	Perry	Speaks
Engel	Hearn	Powell	Steagall
Ford	Ingram	Pruitt	Sullivan
Franklin	Johnson (J. T. Tom)	Rast	Taylor
Gilchrist	Jones (Covington)	Ray	Thomas
Gilmer	Lee	Reynolds (Chambers)	Torbert
Glass	Locke	Reynolds (Madison)	Turner
Goodwyn	Long (Lauderdale)	Roberts	Vickers
Grant	Long (Perry)		

—70

Nays:

Messrs.	Casey	Johnson (Hardaway)	Owens
Albea	Cornett	Johnston (Leonard)	Pierce
Avery	Dickson	Jones (Monroe)	Salter
Bailey	Goldthwaite	Oakley	Turnham
Callahan			

—16

And the bill:

S. 55. To create the office of deputy attorney general of Alabama.

Was read a third time at length and passed.

Yeas 75; Nays 12.

Yeas:

Mr. Speaker	Dunn	Johnston (Leonard)	Reynolds (Chambers)
Adams	Edwards	Jones (Covington)	Reynolds (Madison)
Bailey	Engel	Lee	Roberts
Bassett	Ford	Locke	Rogers (Macon)
Bevill	Franklin	McCorquodale	Rogers (Mobile)
Bishop	Gilchrist	McLendon (Bullock)	Sessions
Branyon	Gilmer	Martin	Shumate
Brewer	Glass	Merrill	Smith (Russell)
Britton	Goodwyn	Morrow	Solomon
Broadfoot	Grant	Murphy	Sorrell
Brooks	Grouby	Nettles	Speaks
Cabiness	Guthrie	Oakley	Steagall
Camp	Hanby	Oden	Sullivan
Casey	Hankins	Owens	Taylor
Cates	Harris	Perry	Thomas
Cornett	Hawkins	Pruitt	Torbert
Daniel	Hearn	Ramey	Turner
Dickson	Ingram	Rast	Vickers
Dodd	Johnson (J. T. Tom)	Ray	

—75

Nays:

Messrs.	Callahan	Hain	Long (Perry)
Albea	Ferguson	Hardy	Salter
Avery	Goldthwaite	Johnson (Hardaway)	Turnham
Barnett			

—12

And the bill:

S. 56. Proposing to amend the Constitution of Alabama 1901 in relation to the distribution of profits derived by the state from the sale of alcoholic beverages.

Was taken up.

On motion of Mr. McCorquodale the motion of Mr. Hawkins to postpone further consideration of the bill, S. 56, until the nineteenth legislative day was laid upon the table.

Yeas 46; Nays 36.

Yeas:

Mr. Speaker	Daniel	Johnson (J. T. Tom)	Pruitt
Adams	Dunn	Johnston (Leonard)	Ramey
Avery	Gilchrist	Jones (Covington)	Ray
Barnett	Gilmer	Jones (Monroe)	Reynolds (Chambers)
Bassett	Glass	Long (Perry)	Rogers (Macon)
Bishop	Grouby	McClendon (Chambers)	Salter
Branyon	Guthrie	McCorquodale	Shumate
Britton	Hankins	Meade	Speaks
Cabiness	Harris	Nettles	Steagall
Casey	Hearn	Oakley	Sullivan
Cates	Ingram	Owens	Turnham
Copeland	Johnson (Hardaway)		

—46

Nays:

Messrs.	Edwards	Long (Lauderdale)	Reynolds (Madison)
Albea	Engel	McLendon (Bullock)	Roberts
Bailey	Ferguson	Merrill	Rogers (Mobile)
Brewer	Goldthwaite	Morrow	Sessions
Broadfoot	Goodwyn	Murphy	Smith (Russell)
Brooks	Hanby	Perry	Solomon
Callahan	Hawkins	Pierce	Thomas
Cornett	Lee	Powell	Torbert
Dickson	Locke	Rast	Vickers
Dodd			

—36

And said bill, S. 56, was read a third time at length and lost.

Yeas 49; Nays 38.

Yeas:

Mr. Speaker	Daniel	Ingram	Pruitt
Adams	Dunn	Johnson (Hardaway)	Ramey
Avery	Ford	Johnson (J. T. Tom)	Ray
Bassett	Gilchrist	Johnston (Leonard)	Reynolds (Chambers)
Bevill	Gilmer	Jones (Monroe)	Rogers (Macon)
Bishop	Glass	McClendon (Chambers)	Salter
Branyon	Grant	McCorquodale	Shumate
Britton	Grouby	Meade	Sorrell
Brooks	Guthrie	Nettles	Speaks
Cabiness	Hankins	Oakley	Steagall
Casey	Harris	Oden	Sullivan
Cates	Hearn	Owens	Turnham
Copeland			

—49

Nays:

Messrs.	Engel	Long (Lauderdale)	Reynolds (Madison)
Albea	Ferguson	Long (Perry)	Roberts
Bailey	Goldthwaite	McLendon (Bullock)	Rogers (Mobile)
Barnett	Goodwyn	Merrill	Sessions
Brewer	Hain	Morrow	Smith (Russell)
Callahan	Hanby	Murphy	Solomon
Cornett	Hawkins	Perry	Thomas
Dickson	Jones (Covington)	Pierce	Torbert
Dodd	Lee	Powell	Vickers
Edwards	Locke	Rast	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 48. Relative to binding the House and Senate Journals of 1961.

Also:

H. J. R. 50. Relative to appointing a Semmes Committee and to report to the Regular Session 1963 on the feasibility of an expanded program of sailing yacht racing in Alabama waters.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 123. To fix additional compensation and allowance of certain election officers in every county of the state having a population of not less than 20,500 nor more than 21,850 according to the last or any subsequent federal decennial census.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 49. Relieving the Secretary of the Senate, the Clerk of the House, the Secretary of State and the doorkeepers from responsibility for the Codes, Supplements, Acts, Journals and other books and approving the payrolls for the Legislature.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 48. Relative to the printing and binding of the House and Senate Journals for the 1961 Regular and Special Sessions of the Legislature.

Also:

H. J. R. 50. Relative to naming an Alabama representative to attend the challenge races for the America's Cup.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the following Senate bill:

S. 38. Relating to inferior courts in counties having a population of not less than one hundred thousand nor more than one hundred fifteen thousand inhabitants; increasing the jurisdiction of such inferior courts of such counties from \$300 to \$500 in civil cases and providing additional compensation for the judge of such courts beginning with his next term of office in January, 1963.

And requests Committee on Conference.

The President and Presiding Officer of the Senate appointed as conferees on part of the Senate Messrs. deGraffenried, Hines and Wilson.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Callahan the House acceded to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 38.

And the Speaker named as a Committee of Conference on the part of the House Messrs. Callahan, Ferguson and Gilchrist.

BILLS ON THIRD READING RESUMED

S. 84. To make a conditional appropriation to the State Fair Authority to aid in the construction of a livestock exhibit building.

Was read a third time at length and passed.

Yeas 69; Nays 2.

Yeas:

Mr. Speaker	Edwards	Johnston (Leonard)	Reynolds (Chambers)
Adams	Engel	Jones (Covington)	Reynolds (Madison)
Albea	Ferguson	Lee	Roberts
Avery	Gilmer	Locke	Rogers (Macon)
Bailey	Glass	Long (Perry)	Rogers (Mobile)
Barnett	Goldthwaite	McClendon (Chambers)	Sessions
Bassett	Grant	Martin	Shumate
Bishop	Grouby	Merrill	Smith (Russell)
Branyon	Hain	Morrow	Solomon
Brewer	Hanby	Nettles	Sorrell
Britton	Hankins	Oakley	Speaks
Brooks	Hardy	Owens	Sullivan
Cabiness	Harris	Perry	Thomas
Casey	Hawkins	Pierce	Torbert
Cates	Hearn	Pruitt	Turner
Cornett	Ingram	Ramey	Turnham
Daniel	Johnson (Hardaway)	Rast	Vickers
Dunn			

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Nays:

Messrs. Long (Lauderdale) Oden

—2

REQUEST TO SENATE FOR RETURN OF BILL

The motion of Mr. Locke that the Senate be requested to return to the House the bill, S. 78, for further consideration by the House, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

SENATE JOINT RESOLUTION NO. 13

By Mr. Robison:

WHEREAS, announcement was made at the 88th Imperial Council Session of the Ancient Arabic Order, Nobles of the Mystic Shrine held recently in Toronto, Canada, that the organization had decided to enlarge and expand the scope of its forty years of philanthropic experience with crippled children by the establishment of three hospitals for the treatment of children who have suffered injuries from burns, which said hospitals will be in addition to the seventeen institutions presently in operation by the Shrine in the United States, Canada and Mexico for the orthopedic treatment of crippled children; and,

WHEREAS, said hospitals will, in addition to furnishing free care and treatment for children of every race, creed and color who have been burned, provide the facilities for research to improve the treatment of burns and will establish training programs for medical personnel in this field; and,

WHEREAS, a committee has been appointed from the Board of Trustees of the Shrine Hospitals for Crippled Children to select the locations for the three new hospitals to be built for such purposes; and,

WHEREAS, Montgomery, Alabama, would be an ideal site and is preeminently suited and qualified by reason of geographical location and availability of medical personnel and presence of related facilities for the establishment of one of said hospitals;

NOW, THEREFORE, BE IT RESOLVED by the Senate, the House concurring, that the committee for the selection of the locations for said hospitals be, and it is hereby, cordially invited and urgently requested to visit Montgomery at their earliest convenience and to give careful and favorable consideration to Montgomery as a prospective site for one of said hospitals.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded immediately to the Chairman of said committee.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Bailey the rules were suspended and the House concurred in and adopted the S. J. R. 13 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Samford:

S. J. R. 14. WHEREAS, 4-H clubs encourage, develop, and stimulate the finest interests and abilities of the young people of our state, and

WHEREAS, these interests and abilities are channeled into varied and diverse fields vital to our state and nation, and

WHEREAS, the 4-H club statewide talent contest was won by a contingent from Opelika, Alabama, the "Sugarettes," a girls trio composed of Miss Cherry Jackson, Miss Sherry Newsome, and Miss Carole Swindall, who were accompanied by the "Continental," an instrumental group composed of Charlie Ben Boyd, Winston Lett, Phillip Starr, Jimmy Sikes, and Robert Sherrer, and

WHEREAS, these girls and boys of whose beauty and talent the people of Alabama are justly proud, will represent the State of Alabama in further competition, therefore

BE IT RESOLVED THAT THE LEGISLATURE OF ALABAMA congratulates these fine young representatives of our state upon winning the state contest and wishes for them every success in their future endeavors.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Torbert the rules were suspended and the House concurred in and adopted the S. J. R. 14 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 52. Commending Honorable Hamner Cobbs for his recent editorial.

J. E. SPEIGHT,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Pruitt:

H. J. R. 53. Be It Resolved By The House of Representatives, the Senate Concurring, that when the two Houses adjourn today, they adjourn to meet again at 9:00 o'clock A.M. Saturday July 14th, and that when they adjourn Saturday they adjourn sine die.

On motion of Mr. Pruitt the rules were suspended and H. J. R. 53 was adopted.

Yeas 77; Nays 4.

Yeas:

Mr. Speaker	Edwards	Ingram	Pierce
Adams	Engel	Johnson (Hardaway)	Powell
Albea	Ferguson	Johnston (Leonard)	Pruitt
Avery	Ford	Jones (Monroe)	Ramey
Barnett	Franklin	Lee	Rast
Bassett	Gilchrist	Locke	Reynolds (Madison)
Bevill	Gilmer	Long (Perry)	Roberts
Bishop	Goldthwaite	McClendon (Chambers)	Rogers (Mobile)
Brewer	Goodwyn	McCorquodale	Salter
Britton	Grant	McLendon (Bullock)	Sessions
Brooks	Grouby	Martin	Smith (Russell)
Callahan	Guthrie	Meade	Speaks
Camp	Hain	Merrill	Steagall
Casey	Hanby	Morrow	Sullivan
Cates	Hankins	Nettles	Thomas
Copeland	Hardy	Nichols	Torbert
Cornett	Harris	Oakley	Turner
Daniel	Hawkins	Owens	Turnham
Dickson	Hearn	Perry	Vickers
Dunn			

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Nays:

Messrs.	Jones (Covington)	Long (Lauderdale)	Rogers (Macon)
Broadfoot			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 130. To provide further for nominations by political parties of candidates for election to the legislature; confirming and continuing certain nominations made in the party primary elections or party meetings in 1962; authorizing, providing for and regulating special party primary elections and mass, beat, or other party meetings under certain conditions for the purpose of nominating certain of such candidates; and placing special duties on the secretary of state.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Rogers (Mobile) the House concurred in and adopted the Senate amendment to the bill, H. 130, said Senate amendment being as follows:

SENATE JUDICIARY COMMITTEE AMENDMENT TO H. B. 130

House Bill 130 is hereby amended in the following respect:

In line 2 of Section 6, strike out the word "May".

Insert following Section 9 the following:

"Section 10. No newspaper, radio or television station shall charge any candidate in such primary any more than ordinary commercial rates."

Sections 10, 11 and 12 are renumbered, respectively, Sections 11, 12 and 13.

The words "Provided that no newspaper, radio or television station shall charge any candidate in such primary any more than ordinary commercial rates." at the end of the bill are hereby stricken.

Yeas 72; Nays 4.

Yeas:

Mr. Speaker	Dickson	Hearn	Ramey
Adams	Dunn	Ingram	Rast
Albea	Edwards	Johnson (Hardaway)	Ray
Avery	Engel	Johnston (Leonard)	Reynolds (Madison)
Bailey	Ferguson	Jones (Covington)	Roberts
Bassett	Ford	Jones (Monroe)	Rogers (Macon)
Bevill	Franklin	Lee	Rogers (Mobile)
Bishop	Gilchrist	Locke	Salter
Brewer	Glass	McClendon (Chambers)	Sessions
Britton	Goldthwaite	Martin	Smith (Russell)
Broadfoot	Goodwyn	Meade	Solomon
Cabiness	Grant	Merrill	Speaks
Caiianan	Grouby	Morrow	Stegall
Casey	Hain	Nettles	Sullivan
Cates	Hanby	Owens	Taylor
Copeland	Hardy	Perry	Thomas
Cornett	Harris	Pierce	Torbert
Daniel	Hawkins	Powell	Turner

—72

Nays:

Messrs.	Long (Perry)	McLendon (Bullock)	Turnham
Barnett			

—4

S. 58 INDEFINITELY POSTPONED

On motion of Mr. Rogers (Mobile), the bill, S. 58, was indefinitely postponed.

MESSAGE FROM THE SENATE

Mr. Speaker

The Senate has passed the following House Bills and returns same herewith to the House:

H. 28. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for any county in this State which has a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal decennial census.

Also:

H. 29. To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census, from making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of passing vehicles, unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use.

Also:

H. 177. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

Also:

H. 185. To amend Act No. 368, H. 814, Regular Session 1953 (Acts 1953, Vol. I, p. 438) relating to an automobile expense allowance for the sheriff of Greene County; giving the Act retroactive effect.

Also:

H. 186. To further amend Act No. 551 of the Legislature of Alabama of 1953, approved September 9, 1953, Acts of Alabama of 1953, page 766, et seq., as heretofore amended.

Also:

H. 189. To alter and rearrange the boundaries of the City of Opp, Covington County, so as to exclude certain territory incorporated into the city by Act No. 437, Regular Session 1957.

Also:

H. 190. Supplement to Act No. 538 H1009 approved September 16, 1939, (Local Acts of Alabama 1939, Page 329), as amended, which establishes the Inferior Court of Geneva County; to increase the compensation of the Judge and Stenographer of said Court.

Also:

H. 191. To fix the salary of the Deputy Solicitor of Geneva County.

J. E. SPEIGHT,
Secretary.

COMMITTEE APPOINTED

In accordance with the provisions of House Joint Resolution 35 heretofore adopted, the Speaker of the House appointed as Committee on part of the House Messrs. Locke, Hawkins, Thomas and Pruitt.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the following Senate Bill:

S. 53. To amend Section 1 of Act No. 388, approved September 9, 1955, entitled "An Act To Fix the Compensation of Certain State Officers".

and requests Committee on Conference.

The President and Presiding Officer of the Senate named as Conferees on part of the Senate Messrs. Cooper, Berryman and Hines.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Thomas the House acceded to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 53.

Yeas 51; Nays 7.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Barnett	Dodd	Johnston (Leonard)	Ramey
Bassett	Edwards	Jones (Covington)	Rast
Bevill	Franklin	Lee	Ray
Bishop	Gilmer	McClendon (Chambers)	Rogers (Macon)
Brewer	Glass	McLendon (Bullock)	Sessions
Britton	Grant	Martin	Solomon
Broadfoot	Grouby	Meade	Sorrell
Callahan	Guthrie	Merrill	Steagall
Camp	Hain	Nettles	Sullivan
Casey	Hankins	Oden	Thomas
Cates	Hardy	Owens	Turner
Daniel	Hearn	Perry	

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Nays:

Messrs.	Bailey	Jones (Monroe)	Pierce
Albea	Cornett	Oakley	Turnham

—7

The Speaker named as a Committee of Conference on the part of the House Messrs. Thomas, Dodd and Smith (Russell).

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 53. Relative to adjournment of the two Houses today.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for the return thereto of Senate Bill:

S. 78. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

And said Bill is herewith returned to the House.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The motion of Mr. Locke to reconsider the vote by which the bill, S. 78, was passed, was adopted.

And on motion of Mr. Locke, the bill, S. 78, was indefinitely postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 42. Relating to the office of solicitor of the Thirtieth Judicial Circuit; creating a solicitor's fund for the use of the circuit solicitor.

Also:

S. 74. To provide for the study of ways and means of solving problems of mental health and mental retardation, creating a legislative committee for that purpose.

Also:

S. 75. To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties.

Also:

S. 79. Relating to Perry County; providing for the election of members of the court of county commissioners, board of revenue, or other like governing body of Perry County by districts.

Also:

S. 82. Relating to the municipality of Haleyville, Winston County, Alabama: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Haleyville, Winston County, Alabama.

Also:

S. 76. To authorize and direct the Alabama Education Authority to allocate and distribute certain funds to the county board of education of Coosa County for the purpose of erecting additional classrooms for negro schools, upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill and House Joint Resolutions, to-wit:

H. J. R. 49. Relative to responsibility for Codes, Supplements, Acts, Journals and other books furnished to the members of the Legislature; also, responsibility for legislative payrolls.

Also:

H. 151. To fix the compensation of the county solicitor of any county having a population of not less than 21,800 nor more than 21,950 according to the 1960 or any subsequent federal decennial census.

Also:

H. J. R. 52. Relative to commending The Honorable Hamner Cobbs, Editor and Publisher of THE GREENSBORO WATCHMAN.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILL AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length

having been dispensed with by a two-thirds vote of a quorum present, signed the Bill and House Joint Resolutions, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Guthrie:

H. J. R. 54. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES as follows:

WHEREAS the following members of the house have been unwisely elected by the respective people of their district as Senators and

WHEREAS, these members of the House have striking service and have served with little honor, now therefore,

BE IT RESOLVED, That Reps. Gilchrist, Roberts, Oden, Taylor, Adams and Nichols be sent to the Senate without recommendation.

The motion of Mr. Guthrie to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 54 was lost.

And said resolution H. J. R. 54 was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

In accordance with the provisions of House Joint Resolution 35 heretofore adopted, the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Robison, deGraffenried, Kendall and Givhan.

J. E. SPEIGHT,
Secretary.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:25 P.M. On July 13, 1962

H. 112

H. 175

H. 176

H. 181

H. 182

H. 183

H. J. R. 35

H. J. R. 41

H. J. R. 42

H. J. R. 44

H. J. R. 45

Delivered to the Governor at 3:45 P.M. On July 13, 1962

H. J. R. 48

H. J. R. 50

H. 123

OAKLEY MELTON, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Pruitt, the House, in accordance with H. J. R. 53 heretofore adopted, adjourned until Saturday, July 14, 1962, at nine o'clock A.M.

EIGHTEENTH DAY

House of Representatives
Montgomery, Alabama
Saturday, July 14, 1962

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend John P. Thomas, Associate Pastor, Dexter Avenue Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Ford	Johnston (Leonard)	Pruitt
Adams	Franklin	Jones (Covington)	Ramey
Albea	Gilchrist	Jones (Monroe)	Rast
Avery	Gilmer	Lee	Ray
Bailey	Glass	Locke	Reynolds (Madison)
Barnett	Goldthwaite	Long (Lauderdale)	Roberts
Bassett	Goodwyn	Long (Perry)	Rogers (Macon)
Bevill	Grant	McClendon (Chambers)	Rogers (Mobile)
Bishop	Gross	McCorquodale	Salter
Brewer	Grouby	McLendon (Bullock)	Sessions
Broadfoot	Guthrie	Martin	Smith (Russell)
Cabiness	Hain	Meade	Smith (St. Clair)
Callahan	Hanby	Merrill	Solomon
Camp	Hankins	Morrow	Sorrell
Casey	Hardy	Murphy	Speaks
Cates	Harris	Nettles	Steagall
Chambers	Harvey	Nichols	Sullivan
Cook	Hawkins	Oakley	Thomas
Copeland	Hearn	Oden	Torbert
Cornett	Ingram	Perry	Turner
Daniel	Jenkins	Pierce	Turnham
Dunn	Johnson (J. T. Tom)	Powell	Vickers
Engel			

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Jones (Monroe) leave of absence was granted to Mr. Rozelle because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Seventeenth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the Seventeenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Seventeenth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 28. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for any county in this State which has a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal decennial census.

Also:

H. 29. To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census, from making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of passing vehicles, unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use.

Also:

H. 130. To provide further for nominations by political parties of candidates for election to the legislature; confirming and continuing certain nominations made in the party primary elections or party meetings in 1962; authorizing, providing for and regulating special party primary elections and mass, beat, or other party meetings under certain conditions for the purpose of nominating certain of such candidates; and placing special duties on the secretary of state.

Also:

H. 177. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

Also:

H. 185. To amend Act No. 368, H. 814, Regular Session 1953 (Acts 1953, Vol. I, p. 438) relating to an automobile expense allowance for the sheriff of Greene County; giving the Act retroactive effect.

Also:

H. 186. To further amend Act No. 551 of the Legislature of Alabama of 1953, approved September 9, 1953, Acts of Alabama of 1953, page 766, et seq., as heretofore amended.

Also:

H. 189. To alter and rearrange the boundaries of the City of Opp, Covington County, so as to exclude certain territory incorporated into the city by Act No. 437, Regular Session 1957.

Also:

H. 190. Supplement to Act No. 538 H1009 approved September 16, 1939, (Local Acts of Alabama 1939, Page 329), as amended, which establishes the Inferior Court of Geneva County; to increase the compensation of the Judge and Stenographer of said Court.

Also:

H. 191. To Fix the Salary of the Deputy Solicitor of Geneva County.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 55. To create the office of deputy attorney general of Alabama.

Also:

S. 84. To make a conditional appropriation to the State Fair Authority to aid in the construction of a livestock exhibit building.

Also:

S. J. R. 13. Inviting the committee from the Board of Trustees of the Shrine Hospitals to give consideration to Montgomery as a prospective site for a hospital.

Also:

S. J. R. 14. Congratulating the "Sugarettes", from Opelika for winning the statewide 4-H Club Contest.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. Murphy:

H. J. R. 55. WHEREAS the selection of the United States' representative to defend the challenge for the America's Cup is now being conducted in the highest tradition of the sea and of American sport, and

WHEREAS the people of Alabama share with the people of New England and with all Americans the inheritance of these proud traditions,

NOW THEREFORE BE IT RESOLVED that the Honorable C. M. A. Rogers, III and the Honorable W. E. Perry, Jr. be designated the official representatives of the people of Alabama to attend and observe in their name the challenge races for the America's Cup,

BE IT FURTHER RESOLVED that such official representative be empowered and authorized to name a group of not more than five persons to accompany them, and that the names of these persons together with a copy of this resolution be sent to the Commodore of the New York Yacht Club by the Clerk of the House of Representatives of Alabama with a request that they be assisted in securing suitable accommodations and observation opportunities for the racing.

BE IT FURTHER RESOLVED that such group of persons be known as the Semmes Committee in honor of Admiral Raphael Semmes, CSN and that the Semmes Committee be and it hereby is requested to report to the Regular Session of the Legislature in 1963 on the feasibility of an expanded program of sailing yacht racing in Alabama waters.

On motion of Mr. Murphy the rules were suspended and H. J. R. 55 was adopted.

BILL ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 203. Relating to Washington County, directing the board of registrars to purge the list of registered voters; requiring and prescribing the procedure for the reidentification of registered voters, and providing a penalty for making a willfully false statement in connection with reidentification.

BILLS ON THIRD READING
H. 200 INDEFINITELY POSTPONED

On motion of Mr. Oden, the bill, H. 200, was indefinitely postponed.

And the bill:

S. 85. To apply only in counties having populations of not less than 27,000 nor more than 29,000; regulating further the taking of fish from

public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken; prescribing penalties.

Was read a third time at length and passed.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Ford	Johnston (Leonard)	Pierce
Adams	Franklin	Jones (Covington)	Powell
Albea	Gilmer	Jones (Monroe)	Ramey
Avery	Glass	Lee	Rast
Bailey	Goldthwaite	Locke	Ray
Barnett	Goodwyn	McClendon (Chambers)	Reynolds (Madison)
Bassett	Grant	McCorquodale	Rogers (Mobile)
Bishop	Gross	McLendon (Bullock)	Smith (Russell)
Cabiness	Grouby	Martin	Smith (St. Clair)
Callahan	Hain	Meade	Solomon
Camp	Hanby	Merrill	Sorrell
Casey	Hankins	Morrow	Speaks
Cates	Hardy	Murphy	Steagall
Cornett	Harris	Oakley	Thomas
Daniel	Harvey	Oden	Turner
Dunn	Hawkins	Perry	Vickers
Engel			

—65

And the bill:

S. 89. To alter, rearrange and extend the boundaries and corporate limits of the City of Ozark, Dale County, Alabama, so as to annex certain territory to the city.

Was read a third time at length and passed.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Dunn	Ingram	Pierce
Adams	Engel	Johnston (Leonard)	Powell
Albea	Ford	Jones (Covington)	Ramey
Avery	Franklin	Jones (Monroe)	Rast
Bailey	Gilmer	Lee	Ray
Barnett	Glass	Locke	Reynolds (Madison)
Bassett	Goldthwaite	McClendon (Chambers)	Rogers (Mobile)
Bishop	Grant	McCorquodale	Smith (Russell)
Broadfoot	Gross	McLendon (Bullock)	Smith (St. Clair)
Cabiness	Grouby	Martin	Solomon
Callahan	Hain	Meade	Sorrell
Camp	Hanby	Merrill	Speaks
Casey	Hankins	Morrow	Steagall
Cates	Hardy	Murphy	Thomas
Cornett	Harris	Oakley	Turnham
Daniel	Harvey	Oden	Vickers

—64

And the bill:

S. 92. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for any county in this State which has a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Ford	Jones (Monroe)	Rast
Adams	Franklin	Lee	Ray
Albea	Gilmer	Locke	Reynolds (Madison)
Avery	Glass	Long (Lauderdale)	Roberts
Bailey	Goldthwaite	McClendon (Chambers)	Rogers (Mobile)
Barnett	Grant	McCorquodale	Salter
Bassett	Gross	McLendon (Bullock)	Sessions
Bishop	Grouby	Martin	Smith (Russell)
Broadfoot	Hain	Meade	Smith (St. Clair)
Cabiness	Hanby	Merrill	Solomon
Camp	Hankins	Morrow	Sorrell
Casey	Hardy	Oakley	Speaks
Cates	Harris	Oden	Thomas
Cornett	Harvey	Perry	Turner
Daniel	Ingram	Pierce	Turnham
Dunn	Johnston (Leonard)	Powell	Vickers
Engel	Jones (Covington)	Ramey	

—67

And the bill:

S. 91. To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census, from making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of passing vehicles, unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use.

Was read a third time at length and passed.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Cabiness	Ford	Hanby
Adams	Callahan	Franklin	Hankins
Albea	Camp	Gilmer	Hardy
Avery	Casey	Glass	Harris
Bailey	Cates	Goldthwaite	Harvey
Barnett	Cornett	Grant	Ingram
Bassett	Daniel	Gross	Johnston (Leonard)
Bishop	Dunn	Grouby	Jones (Covington)
Broadfoot	Engel	Hain	Jones (Monroe)

Lee	Merrill	Rast	Smith (Russell)
Locke	Morrow	Ray	Smith (St. Clair)
Long (Lauderdale)	Oakley	Reynolds (Madison)	Solomon
McClendon (Chambers)	Oden	Roberts	Speaks
McCorquodale	Perry	Rogers (Mobile)	Thomas
McLendon (Bullock)	Pierce	Salter	Turnham
Martin	Powell	Sessions	Vickers
Meade	Ramey		

—66

And the bill:

S. 90. Proposing an amendment to the Constitution of Alabama relative to levying property taxes for public school purposes in Franklin County.

Was read a third time at length and passed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Ford	Jones (Covington)	Ray
Adams	Franklin	Jones (Monroe)	Reynolds (Madison)
Albea	Gilmer	Lee	Roberts
Avery	Glass	Locke	Rogers (Mobile)
Bailey	Goldthwaite	McClendon (Chambers)	Salter
Barnett	Goodwyn	McCorquodale	Sessions
Bassett	Grant	McLendon (Bullock)	Smith (Russell)
Bishop	Gross	Martin	Smith (St. Clair)
Broadfoot	Grouby	Meade	Solomon
Cabiness	Hain	Merrill	Sorrell
Camp	Hanby	Morrow	Speaks
Casey	Hankins	Oakley	Steagall
Cates	Hardy	Oden	Thomas
Cornett	Harris	Pierce	Turner
Daniel	Harvey	Powell	Turnham
Dunn	Ingram	Ramey	Vickers
Engel	Johnston (Leonard)	Rast	

—67

And the bill:

S. 88. For the relief of H. E. Bryant; providing that the board of managers of the City of Birmingham retirement and relief system, established by Act No. 929 of the regular session of the legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, Page 1579, et seq.), shall have six months from the effective date of this Act in which to take action on the application of H. E. Bryant for extraordinary disability allowance.

Was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Albea	Bailey	Bassett
Adams	Avery	Barnett	Bishop

Broadfoot	Gross	McClendon (Chambers)	Reynolds (Madison)
Cabiness	Grouby	McCorquodale	Roberts
Callahan	Hain	McLendon (Bullock)	Rogers (Mobile)
Camp	Hanby	Martin	Salter
Casey	Hankins	Meade	Sessions
Cates	Hardy	Merrill	Smith (Russell)
Cornett	Harris	Morrow	Smith (St. Clair)
Daniel	Harvey	Nichols	Solomon
Dunn	Hawkins	Oakley	Sorrell
Engel	Ingram	Oden	Speaks
Ford	Johnston (Leonard)	Perry	Steagall
Franklin	Jones (Covington)	Pierce	Thomas
Gilmer	Jones (Monroe)	Powell	Turner
Glass	Lee	Ramey	Turnham
Goldthwaite	Locke	Rast	Vickers
Grant	Long (Lauderdale)	Ray	

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MESSAGE FROM THE SENATE

Mr. Speaker:

In accordance with the provisions of House Joint Resolution 36, the President and Presiding Officer of the Senate erased his signature to the Bill:

H. 146. Proposing an amendment to the Constitution of Alabama relative to the rate of taxation on property in the City of Russellville for public school purposes.

And the Senate reconsidered the Bill, H. B. 146.

And the Senate has amended as therein shown and, as amended, has again passed the Bill, H. B. 146, and returns same herewith to the House.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Oden the House non-concurred in the Senate amendment to the bill, H. 146, said Senate amendment being as follows:

AMENDMENT TO H. 146

Strike out Section 2 of the bill and insert in lieu thereof the following:

Section 2. An election upon the proposed amendment is ordered to be held on the date of the general election next succeeding the final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

BILLS ON THIRD READING RESUMED
BILLS POSTPONED

On motion of Mr. Casey, the bill, S. 45, was postponed until the next legislative day.

On motion of Mr. Long (Lauderdale), consideration of the bill, H. 179, was temporarily postponed.

And the bill:

H. 3. To amend further Code of Alabama 1940, Title 13, Section 112, so as to create the 34th judicial circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 4.

Yeas:

Mr. Speaker	Ford	Harvey	Ramey
Adams	Franklin	Ingram	Ray
Albea	Gilmer	Lee	Reynolds (Madison)
Bailey	Glass	Locke	Roberts
Bassett	Goldthwaite	Long (Lauderdale)	Rogers (Macon)
Bishop	Grant	McClendon (Chambers)	Rogers (Mobile)
Broadfoot	Gross	McCorquodale	Salter
Cabiness	Grouby	McLendon (Bullock)	Smith (Russell)
Callahan	Guthrie	Martin	Smith (St. Clair)
Camp	Hain	Meade	Solomon
Cates	Hanby	Merrill	Sorrell
Cornett	Hankins	Morrow	Speaks
Daniel	Hardy	Oakley	Thomas
Engel	Harris	Pruitt	Vickers

—56

Nays:

Messrs.	Johnston (Leonard)	Jones (Monroe)	Pierce
Goodwyn			

—4

S. 8 INDEFINITELY POSTPONED

On motion of Mr. Jones (Covington), the bill, S. 8, was indefinitely postponed.

POINT OF PERSONAL PRIVILEGE BY MR. BROADFOOT

As a point of personal privilege I rise to say that on the sixteenth legislative day a committee on conference was appointed by the Speaker to attempt to reconcile the differences between the two houses on Senate Bill 29, and that said committee sat while the House of Representatives was sitting, without special leave, in direct violation of Rule 41 of the Rules of the House of Representatives of Alabama.

I further rise to say as an additional point of personal privilege that the said committee on conference reported without leave granted by vote of the House in direct violation of Rule 47 of the Rules of the House of Representatives of Alabama, and further that said committee reported despite my drawing the attention of the Speaker to said Rule 47.

I further rise to say as an additional point of personal privilege that Senate Bill 29 was not read at length in accordance with Article 4, Sec. 66

of the Constitution of Alabama (1901) and that the reading at length was not dispensed with by a two-thirds vote of a quorum present as provided by the same Article and Section.

I ask that these points as herein set down be placed in the Journal of the House of Representatives for the eighteenth legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Samford:

S. J. R. 15. WHEREAS, U. S. Rubber Company has recently announced its intention to locate a \$20,000,000 plant near Opelika, in Lee County, Alabama, and

WHEREAS, said plant will be the most modern tire manufacturing plant in the world, and will provide employment for large numbers of citizens of Alabama as well as bring many new citizens to this state, and

Whereas, the citizens of Lee County and the State of Alabama are most gratified at the decision of U. S. Rubber Company to locate its newest and most modern plant in Lee County, Alabama, and

WHEREAS, it is the stated purpose of the Legislature of the State of Alabama to encourage the location and development of industry within the State of Alabama by fair and equitable treatment of industry in all phases of its operation, now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That U. S. Rubber Company is extended a most cordial welcome to the family of industry within the State of Alabama and that the company be assured of the desire of this Legislature to provide a favorable climate for the development of this industry.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Mr. George R. Vila, President of U. S. Rubber Company and to the Chamber of Commerce of Opelika, Alabama.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Turnham the rules were suspended and the House concurred in and adopted the S. J. R. 15 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the report of the Committee

on Conference appointed to reconcile the difference between the two Houses on the House amendment to the Bill: said vote being: Yeas 24; Nays 2.

S. 53. To amend Section 1 of Act No. 388, approved September 9, 1955, entitled "An Act To Fix the Compensation of Certain State Officers".

Said Conference Report being in words and figures as follows, to-wit:

REPORT OF COMMITTEE OF CONFERENCE ON S. B. 53

The committee of conference appointed to reconcile the disagreement between the two houses on S. B. 53 have met, considered the matter, and have agreed to recommend:

1. That the House recede from its amendment to the bill.
2. We further recommend that the Bill be repassed by the Senate and House.

W. C. HINES
ROLAND COOPER
ROBERT R. BERRYMAN
Conferees of the Senate.

SIM A. THOMAS
JOSEPH W. SMITH
BRUCE DODD
Conferees of the House

And said bill, S. B. 53, as amended by the Conference Report was again read at length and passed, said vote being: Yeas 22; Nays 4.

And said Bill, S. B. 53, together with the Conference Report is herewith sent to the House for its consideration.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Thomas the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 53, said report being set out in the above and foregoing Message from the Senate.

Yeas 64; Nays 9.

Yeas:

Mr. Speaker	Cabiness	Glass	Hankins
Adams	Camp	Goodwyn	Hardy
Barnett	Cates	Grant	Harris
Bassett	Copeland	Gross	Harvey
Bevill	Daniel	Grouby	Hawkins
Bishop	Engel	Guthrie	Ingram
Brewer	Franklin	Hain	Johnston (Leonard)
Broadfoot	Gilmer	Hanby	Jones (Covington)

Lee	Morrow	Ray	Sorrell
Locke	Murphy	Reynolds (Madison)	Speaks
Long (Lauderdale)	Nichols	Roberts	Steagall
Long (Perry)	Oden	Rogers (Macon)	Sullivan
McClendon (Chambers)	Perry	Rogers (Mobile)	Thomas
McLendon (Bullock)	Powell	Sessions	Torbert
Meade	Pruitt	Smith (Russell)	Turner
Merrill	Rast	Solomon	Vickers

—64

Nays:

Messrs.	Casey	Jones (Monroe)	Salter
Albea	Cornett	Pierce	Turnham
Bailey	Goldthwaite		

—9

And said bill:

S. 53. To amend Section 1 of Act No. 388, approved September 9, 1955, entitled "An Act To Fix the Compensation of Certain State Officers".

As amended by the Report of the Committee of Conference, was again read at length and passed.

Yeas 63; Nays 8.

Yeas:

Mr. Speaker	Glimer	Lee	Reynolds (Madison)
Adams	Glass	Long (Lauderdale)	Roberts
Barnett	Goodwyn	Long (Perry)	Rogers (Macon)
Bassett	Grant	McLendon (Bullock)	Rogers (Mobile)
Bevill	Gross	Martin	Sessions
Bishop	Grouby	Meade	Smith (Russell)
Brewer	Guthrie	Merrill	Solomon
Broadfoot	Hain	Morrow	Sorrell
Cabiness	Hanby	Murphy	Speaks
Camp	Hankins	Nichols	Steagall
Cates	Hardy	Oden	Sullivan
Copeland	Harris	Perry	Thomas
Daniel	Hawkins	Powell	Torbert
Engel	Ingram	Pruitt	Turner
Ford	Johnston (Leonard)	Rast	Vickers
Franklin	Jones (Covington)	Ray	

—63

Nays:

Messrs.	Goldthwaite	Oakley	Salter
Albea	Jones (Monroe)	Pierce	Turnham
Bailey			

—8

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 193. Relating to the Office of the Circuit Solicitor of the Thirty-Third Judicial Circuit: Creating a fund for the use of certain state officers of said Circuit.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Steagall the House concurred in and adopted the Senate substitute for the bill, H. 193, said Senate substitute being as follows:

FINANCE AND TAXATION COMMITTEE SUBSTITUTE FOR HOUSE BILL 193

A BILL TO BE ENTITLED AN ACT

Relating to the office of solicitor of the Thirty-third Judicial Circuit; creating a solicitor's fund for the use of the circuit solicitor.

Be It Enacted by the Legislature of Alabama:

Section 1. All circuit solicitors' fees imposed by the circuit court and hereafter collected in the Thirty-third Judicial Circuit under the provisions of Section 85 of Title 11, Code of Alabama 1940, as amended, shall be paid into the county treasury of the county where the fee is imposed and collected to the credit of a solicitor's fund to be used and expended as provided in Section 2 of this Act.

Section 2. The circuit solicitor of the Thirty-third Judicial Circuit is hereby authorized to make requisitions on the solicitor's fund for the payment of any and all expenses incurred by him in the operation of his office and the proper discharge of his duties as he sees fit.

Section 3. The provisions of Code of Alabama 1940, Title 29, Section 251, as amended, in conflict with this Act are repealed as to all counties composing the Thirty-third Judicial Circuit of Alabama.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker
Albea
Bailey
Bassett
Bevill
Bishop
Brewer
Cabiness
Callahan
Camp

Casey
Cates
Cook
Copeland
Cornett
Daniel
Dunn
Ford
Franklin
Gilmer

Glass
Grant
Gross
Grouby
Guthrie
Hain
Hanby
Hankins
Hardy
Harvey

Hawkins
Hearn
Ingram
Johnston (Leonard)
Jones (Gorington)
Jones (Monroe)
Locke
McClendon (Chambers)
McCorquodale
Martin

Meade
Merrill
Morrow
Oakley
Perry

Pruitt
Ramey
Rast
Ray
Reynolds (Madison)

Roberts
Rogers (Macon)
Sessions
Smith (Russell)
Smith (St. Clair)

Solomon
Sorrell
Speaks
Steagall
Turner

—60

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 199. To apply only in counties having populations of not less than 20,000 nor more than 21,000; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken; prescribing penalties.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Pruitt the House concurred in and adopted the Senate amendment to the bill, H. 199, said Senate amendment being as follows:

Amendment to H. B. 199

In Section 2, strike out "Any person duly licensed as provided in this Act may take," and insert "Any resident of the county duly licensed as provided in this Act may take,"

Also, in Section 3, strike out "Any person desiring a license" and insert "Any resident of the county desiring a license"

Yeas 63; Nays 0.

Yeas:

Mr. Speaker
Adams
Albea
Bailey
Bassett
Bevill
Bishop
Brewer
Broadfoot
Cabiness
Casey
Cates
Cook
Cornett
Daniel
Dunn

Ford
Franklin
Gilmer
Glass
Grant
Gross
Grouby
Guthrie
Hain
Hanby
Hankins
Hardy
Harvey
Hawkins
Hearn
Ingram

Johnston (Leonard)
Jones (Covington)
Jones (Monroe)
Locke
McClendon (Chambers)
McCorquodale
McLendon (Bullock)
Martin
Meade
Merrill
Morrow
Oakley
Perry
Powell
Pruitt
Ramey
Rast
Ray
Reynolds (Madison)
Roberts
Rogers (Macon)
Rogers (Mobile)
Salter
Sessions
Smith (Russell)
Smith (St. Clair)
Solomon
Sorrell
Speaks
Steagall
Turnham

—63

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 55. Relative to creating a Semmes Committee for the purpose of making a report on the feasibility of yacht racing in Alabama waters.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 28. Relative to the admission of Kentucky to the Tennessee-Tombigbee Waterway Development Compact.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 51. Relating to taxation; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 57. To create a Local Government Committee in each county in the State having a population of 500,000 or more, according to the 1960 or any succeeding decennial Federal census, to provide for the membership, organization, functions, powers and duties of such Committee, to provide for the financing of such Committee's work by appropriation from the County and each municipality therein, and the receipt by the Committee of donations, to provide for the submission of recommended municipal mergers, annexations or changes in form of government to a vote of the qualified voters affected thereby, and in the event of a favorable vote, the effectuation of such mergers, annexations or changes in form of government, and to provide for advisory referenda.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 55. Relative to the designation of the Honorable C. M. A. Rogers, III and the Honorable W. E. Perry, Jr., as official representatives of the people of Alabama to attend the challenge races for the America's Cup.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 125. To amend Sections 2 and 14, Act No. 913, H. 1319, Regular Session 1961 (Acts 1961, p. 1464) which Act authorizes the levy of special county privilege license and excise taxes for educational purposes when approved at a referendum election, in all counties having a population of 45,000 or less inhabitants.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Salter the House concurred in and adopted the Senate amendment to the bill, H. 125, said Senate amendment being as follows:

Amendment to H. B. 125

Amend H. B. 125 by striking therefrom the following words and figures "to exempt counties having a population of not less than 35,600 and not more than 36,000" and "Amend H. B. 125 to exempt counties having a population of not less than 24,550 and not more than 24,570."

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hearn	Pruitt
Adams	Daniel	Johnston (Leonard)	Ramey
Albea	Dunn	Jones (Covington)	Rast
Avery	Ford	Jones (Monroe)	Ray
Bassett	Franklin	Locke	Reynolds (Madison)
Bevill	Gilmer	McClendon (Chambers)	Rogers (Mobile)
Bishop	Glass	McCorquodale	Salter
Brewer	Grant	Martin	Sessions
Broadfoot	Gross	Meade	Smith (Russell)
Cabiness	Grouby	Merrill	Smith (St. Clair)
Callahan	Guthrie	Morrow	Solomon
Camp	Hain	Murphy	Sorrell
Casey	Hankins	Oakley	Speaks
Cates	Harvey	Oden	Steagall
Copeland	Hawkins	Perry	Turner

—60

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 87. To amend Section 41 of Title 50 of the Code of Alabama of 1940 so as to authorize an improvement authority organized under the provisions of Chapter 3 of Title 50 of said Code to issue refunding bonds and bonds for the combined purpose of refunding bonds theretofore issued and of paying the costs of constructing and acquiring any enterprise which it is permitted to own and operate or any improvement or addition thereto.

Also:

H. 188. Relating to counties having populations of not less than 97,000 nor more than 117,000; providing further for regulation of persons engaged in the business of selling money orders and other like instruments.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 172. To amend Act No. 44, H. 53, of the Special Session of the Legislature of 1961 (Acts 1961, p. 1897), entitled "An Act to provide for a license tax on and the assessment and collection of ad valorem taxes on house trailers."

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Rogers (Mobile) the House concurred in and adopted

the Senate substitute for the bill, H. 172, said Senate substitute being as follows:

FINANCE AND TAXATION COMMITTEE SUBSTITUTE FOR H. B. 172

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 44, H. 53, of the Special Session of the Legislature of 1961 (Acts 1961, p. 1897), entitled "An Act to provide for a license tax on and the assessment and collection of ad valorem taxes on house trailers."

Be It Enacted by the Legislature of Alabama:

Section 1. The title and Sections 1 and 2 of Act No. 44, H. 53, of the Special Session of 1961 (Acts 1961, p. 1897), entitled "An Act to provide for a license tax on and the assessment and collection of ad valorem taxes on house trailers," are hereby amended to read as follows:

"An Act relating to house trailers; providing for registration of certain house trailers in this state; providing for the collection and distribution of the registration fee and the issuance of identification tags for use on house trailers registered hereunder, all in the same manner and subject to the same requirement of prior assessment and payment of ad valorem taxes as applies to the collection and distribution of motor vehicle licenses and the issuance of motor vehicle license tags; prescribing penalties; providing for the enforcement of this Act; and exempting house trailers forming a part of a dealer's stock from ad valorem taxation."

"Section 1. Every person, firm, or corporation who owns, maintains, or keeps in this state on or after October 1, 1962, a house trailer, except a house trailer which constitutes a part of his stock as a dealer and except a house trailer which has been assessed for ad valorem taxation as a part of the realty, shall pay an annual registration fee of three dollars (\$3.00); and upon payment thereof such owner shall be furnished an identification plate which shall be immediately attached to and at all times thereafter displayed on the back of the trailer for which the registration fee was paid. The registration fee hereby provided for shall be paid in the county in which such trailer is customarily kept to the same county official who issues motor vehicle license tags in such county, and shall be due, payable, and delinquent at the same times that motor vehicle license taxes are due, payable, and delinquent. The official collecting such registration fees and issuing such identification tags in evidence of payment thereof shall be entitled to the same fees therefor that he receives for issuing motor vehicle license tags. He shall distribute the proceeds of such registration fee at the same time, in the same manner and proportions, and under the same pains and penalties as he does the proceeds of motor vehicle licenses; and he shall be entitled to the same commissions or allowances for so collecting and disbursing these registration fees as he receives for handling funds derived from issuing motor vehicle license tags. The identification plates shall be of the same size and design as motor vehicle license tags, shall be procured by the same state official in the same manner that motor vehicle license tags are procured and shall be furnished to the several probate judges or other county officials charged with the duty of issuing motor vehicle license tags at the same time and in the same manner that motor vehicle license tags are furnished."

"The owner of any house trailer who fails to pay the registration fee hereby provided for or who fails to display the identification tag on such trailer, as hereinabove required, shall be subject to the same penalties prescribed by law for a like offense relative to the payment of motor vehicle license taxes and the affixing of motor vehicle license tags; and this Act shall be enforced by the same officers, under the same conditions and through the same procedures that laws relative to the issuance and display of motor vehicle license tags are, except that failure to comply with this Act shall constitute an offense whether the house trailer is or is not used or operated on the roads or highways of the state."

"Section 2. No identification tag for a house trailer shall be issued until all ad valorem taxes due thereon have been paid. House trailers shall be assessed for ad valorem taxation and taxes thereon paid in the same manner that motor vehicles are assessed and ad valorem taxes thereon paid; and the identification tags shall be evidence of such assessment and payment to the same extent that motor vehicle license tags evidence assessment and payment of taxes on motor vehicles. For assessing house trailers for ad valorem taxation and collecting such taxes the officers performing these duties, respectively, shall be entitled to the same fees and allowances as they are entitled for performing like duties relative to motor vehicles."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Ford	Hawkins	Rast
Adams	Franklin	Hearn	Ray
Albea	Gilchrist	Johnston (Leonard)	Reynolds (Madison)
Avery	Gilmer	Jones (Covington)	Roberts
Bailey	Glass	Jones (Monroe)	Rogers (Wacon)
Bassett	Goldthwaite	Locke	Rogers (Mobile)
Bevill	Goodwyn	McClendon (Chambers)	Salter
Bishop	Grant	McCorquodale	Sessions
Brewer	Grouby	McLendon (Bullock)	Solomon
Broadfoot	Guthrie	Martin	Sorrell
Casey	Hain	Meade	Steagall
Cates	Hanby	Merrill	Sullivan
Chambers	Hankins	Morrow	Torbert
Cornett	Hardy	Perry	Turner
Daniel	Harris	Pierce	Turnham
Dunn	Harvey	Powell	

—63

RESOLUTION

The following resolution was introduced:

By Mr. Hain:

H. R. 56. Whereas, Henry Steagall, III, son of our colleague from Dale County, did on the night of July 13, hit four home runs in four consecutive times at bat for his team, the Indians, in a Pony League game at Ozark, two of said home runs being in one inning and one of them being a grand slam home run; and

Whereas, this feat represents a rare display of hitting ability;

Now therefore, Be it resolved by the House of Representatives of the state of Alabama, that we do hereby commend young Henry Steagall, III for his efforts and ability in hitting four consecutive home runs in a Pony League baseball game.

On motion of Mr. Hain the rules were suspended and H. R. 56 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 36. To amend Act No. 652, H. 88, Regular Session 1961, entitled "An Act to exclude certain municipal privilege licenses from gross sales, or gross receipts, in the computation of State Sales Taxes (Act No. 100, H. 94, approved August 18, 1959, Acts 1959, vol. 1, p. 298)".

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency the Governor proposing an amendment to the Bill:

S. 9. To amend Sections 1, 2, and 3 of Act No. 530, Acts of Alabama Regular Session 1949, Page 835, "Relating to public health; to regulate through licensure hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act", so as to include domiciliary institutions, homes for the aged, intermediate institutions, and related institutions.

said Governor's Message being in words and figures as follows, to-wit:

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill 9, without my approval and with a suggested Executive Amendment, as follows:

Amend said Senate Bill 9 by striking out the words "the Advisory Committee, wherever they appear in the fifth line from the bottom of Section 3, and substituting in lieu thereof, the following words:

"and after approval by the Advisory Board"

This amendment is made at the suggestion of the author of the bill and if adopted would remove my objection to the bill.

Respectfully,
JOHN PATTERSON,
Governor

And the Senate has concurred in and adopted the amendment proposed by His Excellency the Governor, to the Bill, S. B. 9, by a vote of Yeas 25; Nays 0 which was a majority of the whole number elected to the Senate.

And said Bill, S. B. 9 as amended by the Executive amendment, was again read at length and passed by a vote of Yeas 24; Nays 0 which was a majority of the whole number elected to the Senate.

And said Bill, S. B. 9 together with the proposed Executive amendment, is herewith sent to the House for its consideration.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, S. 9, said Governor's amendment being set out in the above and foregoing Message from the Senate.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Daniel	Johnston (Leonard)	Ramey
Adams	Dunn	Jones (Monroe)	Rast
Albea	Ford	Lee	Ray
Barnett	Franklin	Locke	Reynolds (Madison)
Bassett	Gilmer	Long (Perry)	Roberts
Bevill	Glass	McClendon (Chambers)	Rogers (Macon)
Bishop	Grant	McCorquodale	Rogers (Mobile)
Brewer	Grouby	McLendon (Bullock)	Sessions
Broadfoot	Guthrie	Martin	Sorrell
Callahan	Hain	Meade	Steagall
Casey	Hankins	Morrow	Sullivan
Cates	Hardy	Oakley	Thomas
Chambers	Harris	Oden	Turner
Copeland	Hawkins	Perry	Turnham
Cornett	Johnson (J. T. Tom)	Powell	

—59

Which was a majority of the whole number elected to the House.

And said bill:

S. 9. To amend Sections 1, 2, and 3 of Act No. 530, Acts of Alabama Regular Session 1949, Page 835, "Relating to public health; to regulate through licensure hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act", so as to include domiciliary institutions, homes for the aged, intermediate institutions, and related institutions.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Daniel	Jones (Monroe)	Rast
Adams	Dunn	Lee	Ray
Albea	Ford	Locke	Reynolds (Madison)
Barnett	Franklin	Long (Perry)	Roberts
Bassett	Gilmer	McClendon (Chambers)	Rogers (Macon)
Bevill	Glass	McCorquodale	Rogers (Mobile)
Bishop	Grant	McLendon (Bullock)	Salter
Brewer	Grouby	Martin	Sessions
Broadfoot	Guthrie	Merrill	Sorrell
Callahan	Hain	Morrow	Steagall
Casey	Hankins	Oakley	Sullivan
Cates	Hardy	Oden	Thomas
Chambers	Hawkins	Perry	Turner
Copeland	Johnson (J. T. Tom)	Powell	Turnham
Cornett	Johnston (Leonard)	Ramey	

—59

Which was a majority of the whole number elected to the House.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 87. To amend Section 41 of Title 50 of the Code of Alabama of 1940 so as to authorize an improvement authority organized under the provisions of Chapter 3 of Title 50 of said Code to issue refunding bonds and bonds for the combined purpose of refunding bonds theretofore issued and of paying the costs of constructing and acquiring any enterprise which it is permitted to own and operate or any improvement or addition thereto.

Also:

H. 188. Relating to counties having populations of not less than 97,000 nor more than 117,000; providing further for regulation of persons engaged in the business of selling money orders and other like instruments.

Also:

H. 51. Relating to taxation; exempting Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

Also:

H. 199. To apply only in counties having populations of not less than 20,000 nor more than 21,000; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken; prescribing penalties.

Also:

H. 193. Relating to the office of solicitor of the Thirty-third Judicial Circuit; creating a solicitor's fund for the use of the circuit solicitor.

Also:

H. 125. To amend Sections 2 and 14, Act No. 913, H. 1319, Regular Session 1961 (Acts 1961, p. 1464) which Act authorizes the levy of special county privilege license and excise taxes for educational purposes when approved at a referendum election, in all counties having a population of 45,000 or less inhabitants.

Also:

H. 172. To amend Act No. 44, H. 53, of the Special Session of the Legislature of 1961 (Acts 1961, p. 1897), entitled "An Act to provide for a license tax on and the assessment and collection of ad valorem taxes on house trailers."

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 28. Relative to the admission of the Commonwealth of Kentucky into the Tennessee-Tombigbee Waterway Development Compact.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 37. To provide for collection and enforcement by the state department of revenue of sales and use taxes levied or assessed by any city or town.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Gilchrist the House concurred in and adopted the Senate substitute for the bill, H. 37, said Senate substitute being as follows:

SUBSTITUTE FOR H. B. 37

A BILL
TO BE ENTITLED
AN ACT

To provide for collection and enforcement by the state department of revenue of sales and use taxes levied or assessed by any city or town.

Be It Enacted by the Legislature of Alabama:

Section 1. On the request of the governing body of any city or town, the state department of revenue shall collect any privilege license tax levied by such city or town under the provisions of a municipal ordinance when the levy parallels the state levy of sales and use taxes, except for rate of tax, and is subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments, and deductions as are applicable to the state sales and use taxes levied by Act 100, H. 94, Second Special Session 1959, and Article 11, Chapter 20, of Title 51, Code of Alabama 1940, and all acts amendatory thereof or supplementary thereto except where inapplicable or where herein otherwise provided, including provisions for enforcement and collection of the taxes, if the ordinance is duly promulgated and adopted by the governing body of such city and a certified copy of the ordinance is filed with the state department of revenue.

Section 2. Such municipal taxes shall be collected by the state department of revenue at the same time and along with the collection by the department of taxes levied and collected for the state under the provisions of said Act No. 100, H. 94, Second Special Session 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as amended; and all reports required to be made to the commissioner of revenue for any city or town pursuant to this Act shall, on request made to the department of revenue, be made available for inspection by the governing body of such city or town or its designated agent, at reasonable times during business hours.

Section 3. The department of revenue shall prepare and distribute such reports, blank forms, and other information as may be necessary

to provide for collection of municipal taxes for any city or town coming under this Act, and shall have all authority and duties hereunder as it has in connection with the collection of the state sales and use taxes provided for by said Act No. 100 and said Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented.

Section 4. It shall be the duty of the commissioner of revenue to pay into the state treasury all municipal taxes collected under this Act, and on or before the first day of the following month, the commissioner shall certify to the comptroller the amount of special taxes collected for each city or town coming under the provisions of this Act during the calendar month immediately preceding the making of such certificate. The amount certified by the commissioner of revenue as having been collected for the use of a city or town, less collection charges deducted, shall be paid to the treasurer or other custodian of funds of such city. The state department of revenue shall charge each city or town for collecting municipal license taxes the cost to the department for making such collections, provided such charge shall not exceed ten percent of the amount collected. The comptroller shall once each month draw his warrant on the funds collected under this Act payable to the department of revenue for the amount of such charges, as determined by the commissioner of revenue.

Section 5. The commissioner of revenue may employ special counsel when necessary from time to time to enforce collection of municipal license taxes for any city or town coming under the provisions of this Act, and otherwise to enforce the provisions of the ordinance levying such taxes, including any litigation required and the department of revenue may pay special counsel such fees as the commissioner considers reasonable and proper from the proceeds of the taxes payable to such city under the provisions of this Act.

Section 6. Any amendment of any municipal ordinance heretofore adopted levying a tax required to be collected hereunder shall not be effective until the first day of the month next following the expiration of 30 days from the date of the adoption of such amendment. The department of revenue shall not be required to make any collection of municipal taxes, or otherwise perform any duties as provided for herein until a certified copy of the ordinance and amendments thereto has been on file with the department of revenue for at least 30 days.

Section 7. All laws or parts of laws which conflict with this Act are repealed.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Section 10. This Act shall apply only to municipalities situated in counties having populations of not less than 56,700 nor more than 60,500, according to the 1960 or any subsequent federal decennial census; and also to municipalities situated in counties having populations of not less than 115,000 nor more than 160,000, and municipalities situated in counties having populations of not less than 17,000 nor more than 17,500, according to the most recent federal decennial census.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Goodwyn	McClendon (Chambers)	Ray
Bailey	Grant	McCorquodale	Reynolds (Madison)
Barnett	Gross	McLendon (Bullock)	Roberts
Bassett	Guthrie	Martin	Rogers (Mobile)
Bevill	Hain	Meade	Salter
Brewer	Hankins	Merrill	Sessions
Cabiness	Hardy	Morrow	Shumate
Chambers	Hawkins	Murphy	Smith (Russell)
Copeland	Hearn	Oakley	Sorrell
Cornett	Johnson (J. T. Tom)	Oden	Speaks
Daniel	Johnston (Leonard)	Perry	Steagall
Dunn	Jones (Covington)	Pierce	Sullivan
Ford	Lee	Powell	Torbert
Gilchrist	Locke	Pruitt	Turnham
Gilmer	Long (Lauderdale)	Rast	Vickers
Glass	Long (Perry)		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 135. To appropriate from any funds in the State Treasury to the credit of the General Fund not otherwise appropriated, for the fiscal year ending September 30, 1962, the sum of \$175,000.00 for the purpose of constructing and equipping a recreational building at Gulf State Park and to further provide for such construction.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Goodwyn the House concurred in and adopted the Senate substitute for the bill, H. 135, said Senate substitute being as follows:

FINANCE AND TAXATION COMMITTEE
SUBSTITUTE FOR HOUSE BILL 135

A BILL
TO BE ENTITLED
AN ACT

To appropriate from any funds in the State Treasury to the credit of the General Fund not otherwise appropriated the sum of \$175,000.00 for the purpose of constructing and equipping a recreational building at Gulf State Park and to further provide for such construction.

Be It Enacted by the Legislature of Alabama:

Section 1. That the sum of \$175,000.00 is hereby appropriated from any funds in the State Treasury to the credit of the General Fund not otherwise appropriated, to the State Building Commission to be used for

the purpose of constructing and equipping a recreational building at Gulf State Park. Such construction shall be under the supervision and control of the State Building Commission, and the appropriation herein made shall be expended on order of said Commission or its duly authorized officers, agents or employees as directed by the Commission. The public improvement herein provided for shall be constructed pursuant to and in accordance with the provisions of Title 50, Code of Alabama 1940, as amended.

Section 2. This Act shall take effect upon the termination by operation of law or otherwise of that portion of a concession contract entered into between the State of Alabama and Roy J. Grimmett on March 22, 1957, granting the said Grimmett certain rights and privileges with respect to the operation of a restaurant and casino at Gulf State Park.

Yeas 53; Nays 1.

Yeas:

Mr. Speaker	Glass	Locke	Pruitt
Adams	Goldthwaite	Long (Perry)	Ray
Bailey	Goodwyn	McClendon (Chambers)	Reynolds (Madison)
Barnett	Grant	McCorquodale	Roberts
Bassett	Guthrie	McLendon (Bullock)	Rogers (Macon)
Bevill	Hanby	Martin	Rogers (Mobile)
Brewer	Hankins	Meade	Salter
Chambers	Hearn	Merrill	Sessions
Copeland	Jenkins	Murphy	Smith (Russell)
Cornett	Johnson (J. T. Tom)	Oakley	Steagall
Daniel	Johnston (Leonard)	Oden	Sullivan
Dunn	Jones (Covington)	Pierce	Torbert
Ford	Lee	Powell	Turnham
Gilchrist			

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Nay:

Mr. Long (Lauderdale)

—1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 184. To authorize and direct the Alabama Education Authority to allocate and distribute a part of the earnings or income from the investment of that part of the proceeds of bonds, issued by said Authority under Act No. 126, H. 15, Second Special Session 1959 (Acts 1959, p. 369), not currently needed for the purpose for which such bonds were issued, to the Alabama Institute for Deaf and Blind; and to provide for the use of such money for school building purposes upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959, Second Special Session, p. 369.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 163. To amend the revenue law; defining further certain terms used in administering state sales and use tax statutes; repealing conflicting laws.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 136. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 25,500 nor more than 25,700 according to the last or any subsequent federal decennial census.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Speaks the House concurred in and adopted the Senate substitute for the bill, H. 136, said Senate substitute being as follows:

FINANCE AND TAXATION COMMITTEE
SUBSTITUTE FOR HOUSE BILL 136A BILL
TO BE ENTITLED
AN ACT

To fix additional compensation and allowance of certain election officers in every county of the state having a population of not less than 25,500 nor more than 25,700 according to the last or any subsequent federal decennial census.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply to each county of the state having a population of not less than 25,500 nor more than 25,700 according to the last or any subsequent federal decennial census.

Section 2. Election officers who are appointed and serve under provisions of Chapter 1, Title 17, Code of Alabama 1940, as amended, shall receive additional compensation and allowances as follows: the returning officer and the inspectors and clerks shall each be entitled to an additional

five dollars (\$5.00); the several claims shall be paid as preferred claims, out of moneys in the county treasury not otherwise appropriated, on proper proof of service rendered, and shall be paid from county funds only and for which there shall be no reimbursement.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Daniel	Ingram	Pierce
Albea	Dunn	Johnston (Leonard)	Powell
Avery	Ford	Jones (Covington)	Pruitt
Bailey	Franklin	Locke	Rast
Barnett	Gilchrist	Long (Lauderdale)	Ray
Bassett	Gilmer	Long (Perry)	Reynolds (Madison)
Bevill	Glass	McClendon (Chambers)	Rogers (Macon)
Bishop	Goldthwaite	McCorquodale	Rogers (Mobile)
Brewer	Grant	McLendon (Bullock)	Salter
Broadfoot	Gross	Martin	Sessions
Cabiness	Guthrie	Merrill	Smith (Russell)
Callahan	Hain	Morrow	Sorrell
Camp	Hanby	Murphy	Speaks
Casey	Hardy	Nichols	Steagall
Cates	Hawkins	Oden	Turner
Copeland	Hearn	Perry	Turnham
Cornett			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 198. To amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, vol. 1, p. 273), which relates to Mobile County.

Also:

H. 180. For the relief of John T. Lancaster, authorizing and requiring the county governing body of Tuscaloosa County, Alabama, to make an appropriation from the county treasury to compensate the said John T. Lancaster for certain damages.

Also:

H. 197. To fix the compensation of the coroner of Madison County.

Also:

H. 178. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of

not less than 65,000 nor more than 90,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

H. 195. For the relief of H. E. Bryant; providing that the Board of Managers of the City of Birmingham Retirement and Relief System, established by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, page 1579, et seq.) shall have six months from the effective date of this Act in which to take action on the application of H. E. Bryant for extraordinary disability allowance.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 114. Providing and to provide for the taking of depositions in connection with any controversy, suit, case, cause or proceeding pending or to be tried in any court of record in counties in Alabama having a population of not less than 100,000 people nor more than 115,000 people according to the 1960 or any subsequent Federal census of witnesses and parties for discovery or evidence in any controversy, suit, case, proceeding or cause at law or in equity contemplated or provided by Act 375 of Acts of Alabama of 1955, 1955 Acts of Alabama, Page 901, et sequitur, or any amendment thereof or thereto, or to which the provisions thereof are made applicable by other laws of Alabama, by Commissioners; fixing the power and authority of such Commissioners to take such depositions and conduct hearings therefor and to issue subpoenas and subpoenas duces tecum to witnesses and parties for the purpose of taking such depositions, providing for the compensation of such witnesses and parties and fixing the schedule of fees for such Commissioners for taking and certifying such depositions and providing for the taxing of such fees as costs.

J. E. SPEIGHT,
Secretary.

AMENDMENT TO H. B. 114

Amend H. B. 114 by striking therefrom Section 3 and inserting in lieu thereof as Section 3 the following: For taking and transcribing the testimony of witnesses, whose depositions are actually introduced in evidence in the said cause by the moving party, the Commissioner is entitled to 45c for every hundred words, not including the caption certificate or exhibits; and ten cents for each mile necessarily traveled by him in the taking of such testimony; all of which must, upon the certificate of the Commissioner, be taxed as costs in the cause. In such cases the Commissioner is entitled to the usual and ordinary per diem.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 36. To amend Act No. 652, H. 88, Regular Session 1961, entitled "An Act to exclude certain municipal privilege licenses from gross sales, or gross receipts, in the computation of State Sales Taxes, Act No. 100, H. 94, approved August 18, 1959, Acts 1959, vol. 1, p. 298)".

Also:

H. 184. To authorize and direct the Alabama Education Authority to allocate and distribute a part of the earnings or income from the investment of that part of the proceeds of bonds, issued by said Authority under Act No. 126, H. 15, Second Special Session 1959 (Acts 1959, p. 369), not currently needed for the purpose for which such bonds were issued, to the Alabama Institute for Deaf and Blind; and to provide for the use of such money for school building purposes upon the same terms and under like conditions that govern the use of money allocated and distributed to other schools by the Alabama Education Authority under Act No. 126, H. 15, 1959, Second Special Session, p. 369.

Also:

H. 135. To appropriate from any funds in the State Treasury to the credit of the General Fund not otherwise appropriated the sum of \$175,000.00 for the purpose of constructing and equipping a recreational building at Gulf State Park and to further provide for such construction.

Also:

H. 163. To amend the revenue law; defining further certain terms used in administering state sales and use tax statutes; repealing conflicting laws.

Also:

H. 178. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 65,000 nor more than 90,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

H. 180. For the relief of John T. Lancaster, authorizing and requiring the county governing body of Tuscaloosa County, Alabama, to make an appropriation from the county treasury to compensate the said John T. Lancaster for certain damages.

Also:

H. 195. For the relief of H. E. Bryant; providing that the Board of Managers of the City of Birmingham Retirement and Relief System, established by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, page 1579, et seq.) shall have six months from the effective date of this Act in which to take action on the application of H. E. Bryant for extraordinary disability allowance.

Also:

H. 197. To fix the compensation of the coroner of Madison County.

Also:

H. 198. To amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, vol. 1, p. 273), which relates to Mobile County.

Also:

H. 136. To fix additional compensation and allowance of certain election officers in every county of the state having a population of not less than 25,500 nor more than 25,700 according to the last or any subsequent federal decennial census.

Also:

H. 37. To provide for collection and enforcement by the state department of revenue of sales and use taxes levied or assessed by any city or town.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

In accordance with the provisions of S. B. 74, the President and Presiding Officer of the Senate appointed Messrs. Shelton, Cooper and Clark as Senate members.

J. E. SPEIGHT,
Secretary.

COMMITTEE APPOINTED

In accordance with the provisions of the bill, S. 74, the Speaker of the House appointed Messrs. Camp, Callahan, Bevill and Sullivan as House members.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolution, your signature thereto is requested:

S. 9. To amend Sections 1, 2, and 3 of Act No. 530, Acts of Alabama Regular Session 1949, Page 835, "Relating to public health; to regulate through licensure hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act", so as to include domiciliary institutions, homes for the aged, intermediate institutions, and related institutions.

Also:

S. 53. To amend Section 1 of Act No. 388, approved September 9, 1955, entitled "An Act To Fix the Compensation of Certain State Officers".

Also:

S. 57. To create a Local Government Committee in each county in the State having a population of 500,000 or more, according to the 1960 or any succeeding decennial Federal census, to provide for the membership, organization, functions, powers and duties of such Committee, to provide for the financing of such Committee's work by appropriation from the County and each municipality therein, and the receipt by the Committee of donations, to provide for the submission of recommended municipal mergers, annexations or changes in form of government to a vote of the qualified voters affected thereby, and in the event of a favorable vote, the effectuation of such mergers, annexations or changes in form of government, and to provide for advisory referenda.

Also:

S. 85. To apply only in counties having populations of not less than 27,000 nor more than 29,000; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken; prescribing penalties.

Also:

S. 88. For the relief of H. E. Bryant; providing that the board of managers of the City of Birmingham retirement and relief system, established by Act No. 929 of the regular session of the legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, Page 1579, et seq.), shall have six months from the effective date of this Act in which to take action on the application of H. E. Bryant for extraordinary disability allowance.

Also:

S. 89. To alter, rearrange and extend the boundaries and corporate limits of the City of Ozark, Dale County, Alabama, so as to annex certain territory to the city.

Also:

S. 91. To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census, from making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of passing vehicles, unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use.

Also:

S. 92. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for any county in this State which has a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal decennial census.

Also:

S. J. R. 15. Welcoming the U. S. Rubber Company plant near Opelika, Alabama.

Also:

S. 90. Proposing an amendment to the Constitution of Alabama relative to levying property taxes for public school purposes in Franklin County.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolution, the titles to which are set out in the above and foregoing Message from the Senate.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor 9:15 A.M. On July 14, 1962

H. J. R. 49.

H. 151.

H. J. R. 52.

H. 28.

H. 29.

H. 130.

H. 177.

H. 185.

H. 186.

H. 189.

H. 190.

H. 191.

Delivered to the Governor at 11:40 A.M. On July 14, 1962

H. J. R. 55.

H. 87.

H. 188.

H. 51.

H. 199.

H. 193.

H. 125.

H. 172.

H. J. R. 28.

Delivered to the Governor at 12:55 P.M. On July 14, 1962

H. 36.

H. 184.

H. 135.

H. 163.

H. 178.

H. 180.

H. 195.

H. 197.

H. 198.

H. 136.

H. 37.

OAKLEY MELTON, JR.,
Clerk.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eighteenth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the eighteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the eighteenth legislative day was approved.

ADJOURNMENT

On Motion of Mr. Pruitt, the House, in accordance with H. J. R. 53 heretofore adopted, adjourned sine die at 1:30 o'clock P.M.

VIRGIS M. ASHWORTH,
Speaker of the House of Representatives of the
Legislature of Alabama, Extraordinary Session, 1962

Attest:

OAKLEY MELTON, JR.
Clerk of the House of Representatives of the
Legislature of Alabama, Extraordinary Session, 1962

ROSTER OF THE SENATE OF ALABAMA

First Extraordinary Session 1962

Albert Boutwell, <i>Lieutenant Governor</i>	Birmingham
Vaughan Hill Robison, <i>President Pro-Tem</i>	Montgomery
J. E. Speight, <i>Secretary</i>	Montgomery
Mrs. Nell W. Ruffer, <i>Assistant Secretary</i>	Montgomery
First Senatorial District—Lauderdale and Limestone Counties.	
E. B. Haltom, Jr.	P. O. Box 649, Florence
Second Senatorial District—Lawrence and Morgan Counties.	
Robert R. Berryman.....	Box 573, Town Creek
Third Senatorial District—Blount, Cullman and Winston Counties.	
Elwood Rutledge.....	P. O. Box 169, Haleyville
Fourth Senatorial District—Madison County.	
Billy Laxson.....	West Side Square, Huntsville
Fifth Senatorial District—Jackson and Marshall Counties.	
D. Donald Word.....	P. O. Box 282, Scottsboro
Sixth Senatorial District—Etowah and St. Clair Counties.	
James Ray Wyatt.....	Ashville
Seventh Senatorial District—Calhoun County.	
A. C. Shelton.....	Jacksonville
Eighth Senatorial District—Talladega County.	
G. Kyser Leonard.....	516 North St., Talladega
Ninth Senatorial District—Chambers and Randolph Counties.	
W. C. (Bill) Hines.....	LaFayette
Tenth Senatorial District—Elmore and Tallapoosa Counties.	
Upshaw G. Jones.....	Wetumpka
Eleventh Senatorial District—Tuscaloosa County.	
Ryan deGraffenried.....	1001 First National Bank Building, Tuscaloosa
Twelfth Senatorial District—Fayette, Lamar and Walker Counties.	
Woodrow Wilson Roberts.....	Fayette

ROSTER OF THE SENATE OF ALABAMA—Continued

Thirteenth Senatorial District—Jefferson County.

Lawrence (Larry) Dumas.....1414 Brown-Marx Building
Birmingham

Fourteenth Senatorial District—Pickens and Sumter Counties.

Aubrey D. Green.....York

Fifteenth Senatorial District—Autauga, Chilton and Shelby Counties.

Joe W. Graham.....Box 163, Maplesville

Sixteenth Senatorial District—Lowndes County.

Carl G. Golson.....Fort Deposit

Seventeenth Senatorial District—Butler, Conecuh and Covington Counties.

R. G. Kendall, Jr.....Evergreen

Eighteenth Senatorial District—Bibb and Perry Counties.

Norman R. Crawford.....Marion

Nineteenth Senatorial District—Choctaw, Clarke and Washington Counties.

Dennis Porter.....Chatom

Twentieth Senatorial District—Marengo County.

E. O. Eddins.....Demopolis

Twenty-First Senatorial District—Baldwin, Escambia and Monroe Counties.

Douglas S. Webb.....P. O. Box 142, Atmore

Twenty-Second Senatorial District—Wilcox County.

Roland Cooper.....Camden

Twenty-Third Senatorial District—Dale and Geneva Counties.

Rufus Barnett.....327 Magnolia St., Ozark

Twenty-Fourth Senatorial District—Barbour County.

James S. (Jimmy) Clark.....Eufaula

Twenty-Fifth Senatorial District—Coffee, Crenshaw and Pike Counties.

Alton L. Turner.....Luverne

Twenty-Sixth Senatorial District—Bullock and Macon Counties.

L. K. (Snag) Andrews.....Union Springs

Twenty-Seventh Senatorial District—Lee and Russell Counties.

Yetta G. Samford, Jr.....P. O. Box 272, Opelika

ROSTER OF THE SENATE OF ALABAMA—Continued

Twenty-Eighth Senatorial District—Montgomery County.	
Vaughan Hill Robison	1532 Dunbar Ave., Montgomery
Twenty-Ninth Senatorial District—Cherokee and DeKalb Counties.	
George E. Godfrey	Jamestown
Thirtieth Senatorial District—Dallas County.	
Walter C. Givhan	Safford
Thirty-First Senatorial District—Colbert, Franklin and Marion Counties.	
Hugh Moses	Hamilton
Thirty-Second Senatorial District—Greene and Hale Counties.	
W. F. Wilson	Havana
Thirty-Third Senatorial District—Mobile County.	
Will G. Caffey, Jr.	P. O. Box 388, Mobile
Thirty-Fourth Senatorial District—Clay, Cleburne and Coosa Counties.	
John E. Gaither	Heflin
Thirty-Fifth Senatorial District—Henry and Houston Counties.	
Carl S. Farmer	Abbeville

**ROSTER OF THE HOUSE OF REPRESENTATIVES OF
ALABAMA****First Extraordinary Session 1961****OFFICERS**

Virgis M. Ashworth, <i>Speaker</i>	Centreville
Ira D. Pruitt, <i>Speaker Pro Tem</i>	Livingston
Oakley Melton, Jr., <i>Clerk</i>	Montgomery
David W. Crosland, <i>Assistant Clerk</i>	Montgomery
Richard C. Belser, <i>Reading Clerk</i>	Montgomery

MEMBERS OF THE HOUSE

Autauga—E. A. (Bud) Grouby	Prattville
Baldwin—L. W. Brannan, Jr.	Foley

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

Barbour—Place No. 1—Sim A. Thomas	Eufaula
Place No. 2—McDowell Lee	Clio
Bibb—Virgis M. Ashworth	Box 381, Centreville
Blount—W. P. Gordon	Box 361, Oneonta
Bullock—Place No. 1—M. B. McLendon	Box 247, Union Springs
Place No. 2—J. B. Powell	Box 387, Union Springs
Butler—Place No. 1—F. LaMont Glass	845 Ft. Dale Rd., Greenville
Place No. 2—H. B. Taylor	Box 278, Georgiana
Calhoun—Place No. 1—Woodrow Albea	1001 Commercial National Bank Bldg., Anniston
Place No. 2—Hugh D. Merrill	Box 1486, Anniston
Chambers—Place No. 1—Roy W. McClendon	Shawmut
Place No. 2—Charles Reynolds	Lanett
Cherokee—Ralph A. Meade	Cedar Bluff
Chilton—Francis W. Speaks	Box 535, Clanton
Choctaw—Charlie E. Ford	Butler
Clarke—Place No. 1—Joe C. McCorquodale, Jr.	Jackson
Place No. 2—Kimbrough C. Dunn	Thomasville
Clay—Kenneth F. Ingram	Ashland
Cleburne—John S. Casey	Box 266, Heflin
Coffee—Drexel Cook	Elba
Colbert—Kenneth H. Bishop	Route 2, Cherokee
Conecuh—Wiley Salter	Evergreen
Coosa—Charles R. Franklin	Goodwater
Covington—Fletcher Jones	Box 928, Andalusia
Crenshaw—Guy Owens	Luverne
Cullman—John J. Guthrie	Route 3, Cullman
Dale—Henry B. Steagall, II	Box 226, Ozark
Dallas—Place No. 1—M. D. (Pete) Gilmer	Marion Junction

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Place No. 2—Frank Hardy.....	Route 6, Box 300, Selma
Place No. 3—B. V. Hain.....	Box 155, Selma
DeKalb—Robert E. Harris.....	2900 Alabama Ave., S. W., Fort Payne
Elmore—Place No. 1—Leonard Johnston.....	Wetumpka
Place No. 2—Hardaway Johnson.....	Eclectic
Escambia—Hugh Rozelle.....	Bank of Atmore Building, Atmore
Etowah—Place No. 1—Buford L. Copeland.....	524 Chestnut St., Gadsden
Place No. 2—E. K. Hanby.....	403 Noojin Building, Gadsden
Fayette—James A. Branyon, II.....	Box 600, Fayette
Franklin—W. E. Oden.....	402 High Street, Russellville
Geneva—Roland R. Faulk.....	Samson
Greene—W. L. Martin, Jr.....	Eutaw
Hale—Place No. 1—Richard M. Avery.....	Greensboro
Place No. 2—Charles H. Ramey.....	Akron
Henry—Place No. 1—Emory R. ("Em") Solomon.....	Headland
Place No. 2—W. Ralph Chambers.....	Route 1, Columbia
Houston—Charles H. Adams.....	Box 975, Dothan
Jackson—Place No. 1—W. Wallace Gross.....	Scottsboro
Place No. 2—Bernard Cabiness.....	516 S. Houston, Scottsboro
Jefferson—J. K. (Jess) Edwards.....	3612 Huntsville Ave., Brighton
John H. Hawkins, Jr.....	1841 Montclair Drive, Birmingham
Hugh A. Locke, Jr.....	923 Frank Nelson Bldg., Birmingham
Hugh Morrow, III.....	214 Woodward Bldg., Birmingham 3
Walter Emmett Perry, Jr.....	610 Frank Nelson Bldg., Birmingham
Holt Rast.....	Box 1491, Birmingham
Tram Sessions.....	The Liberty National Life Ins. Co. Bldg., Birmingham

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

Lamar—Jack Hankins.....	Vernon
Lauderdale—Place No. 1—Robert H. Broadfoot.....	302 W. Alabama St., Florence
Place No. 2—Charles G. Long.....	Box 297, Florence
Lawrence—Bruce W. Dodd.....	Route 3, Moulton
Lee—Place No. 1—C. C. Torbert, Jr.....	Opelika
Place No. 2—Pete Turnham.....	606 Moore Mill Road, Auburn
Limestone—Granville N. Turner.....	Route 2, Toney
Lowndes—Place No. 1—Robert S. Dickson, Jr.....	Lowndesboro
Place No. 2—A. J. (Jack) Brooks.....	Box 46, Fort Deposit
Macon—Grady Rogers.....	Route 1, Tuskegee
Madison—Place No. 1—N. L. (Luke) Reynolds.....	2225 California St., Huntsville
Place No. 2—Roscoe Roberts, Jr.....	Terry-Hutchens Bldg., Huntsville
Marengo—Place No. 1—V. Buren Daniel.....	Nanafalia
Place No. 2—Charles B. Grant, Jr.....	RFD, Demopolis
Marion—John “Pete” Self.....	Box 597, Hamilton
Marshall—Olin C. Hearn.....	Box 31, Albertville
Mobile—Place No. 1—John A. Murphy.....	817 First Nat’l. Bank Bldg., Mobile
Place No. 2—Mylan R. Engel.....	610 Van Antwerp Bldg., Mobile
Place No. 3—C. M. A. (Max) Rogers, III.....	Box 1070, Mobile
Monroe—Ralph L. Jones.....	Monroeville
Montgomery—Place No. 1—Alfred W. Goldthwaite.....	26 So. Perry St., Montgomery
Place No. 2—O. J. (Joe) Goodwyn.....	325 Bell Bldg., Montgomery
Place No. 3—George F. (Bubber) Bailey.....	2144 Meadow Lane Drive, Montgomery
Place No. 4—J. J. (Junie) Pierce.....	2038 Myrtlewood Drive, Montgomery

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Morgan—Place No. 1—Albert P. Brewer Box 1487, Decatur

Place No. 2—Bob Gilchrist 504 Short Street, Hartselle

Perry—Place No. 1—Roy A. Barnett Marion

Place No. 2—T. R. Long Uniontown

Pickens—Ulie B. Sullivan Carrollton

Pike—Place No. 1—L. Gardner Bassett 206 Orange St., Troy

Place No. 2—W. J. Sorrell Troy

Randolph—J. M. Jenkins Box 384, Roanoke

Russell—Place No. 1—Homer W. Cornett Box 88, Phenix City

Place No. 2—Joseph W. Smith Box 464, Phenix City

St. Clair—R. Rush (Doc) Smith Ashville

Shelby—John Lewis Cates Columbiana

Sumter—Place No. 1—Jesse E. Harvey Cuba

Place No. 2—Ira D. Pruitt Livingston

Talladega—Place No. 1—Bill Nichols Sylacauga

Place No. 2—Ashley L. Camp, Jr. Box 491, Talladega

Tallapoosa—Place No. 1—William D. Vickers Rt. 3,
Alexander City

Place No. 2—J. T. (Tom) Johnson Route 1, Notasulga

Tuscaloosa—Place No. 1—A. K. (Temo) Callahan 913 First
Nat'l. Bank Bldg., Tuscaloosa

Place No. 2—Arthur Louis Ferguson 2805 16th Avenue,
Northport

Walker—Place No. 1—Alonzo Shumate Box 63, Jasper

Place No. 2—Tom Bevill Jasper

Washington—A. D. Britton, Jr. Box 1111, Millry

Wilcox—Place No. 1—Sam C. Nettles, Jr. Arlington

Place No. 2—Gregory Oakley Pine Apple

Winston—H. E. (Pete) Ray Haleyville

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